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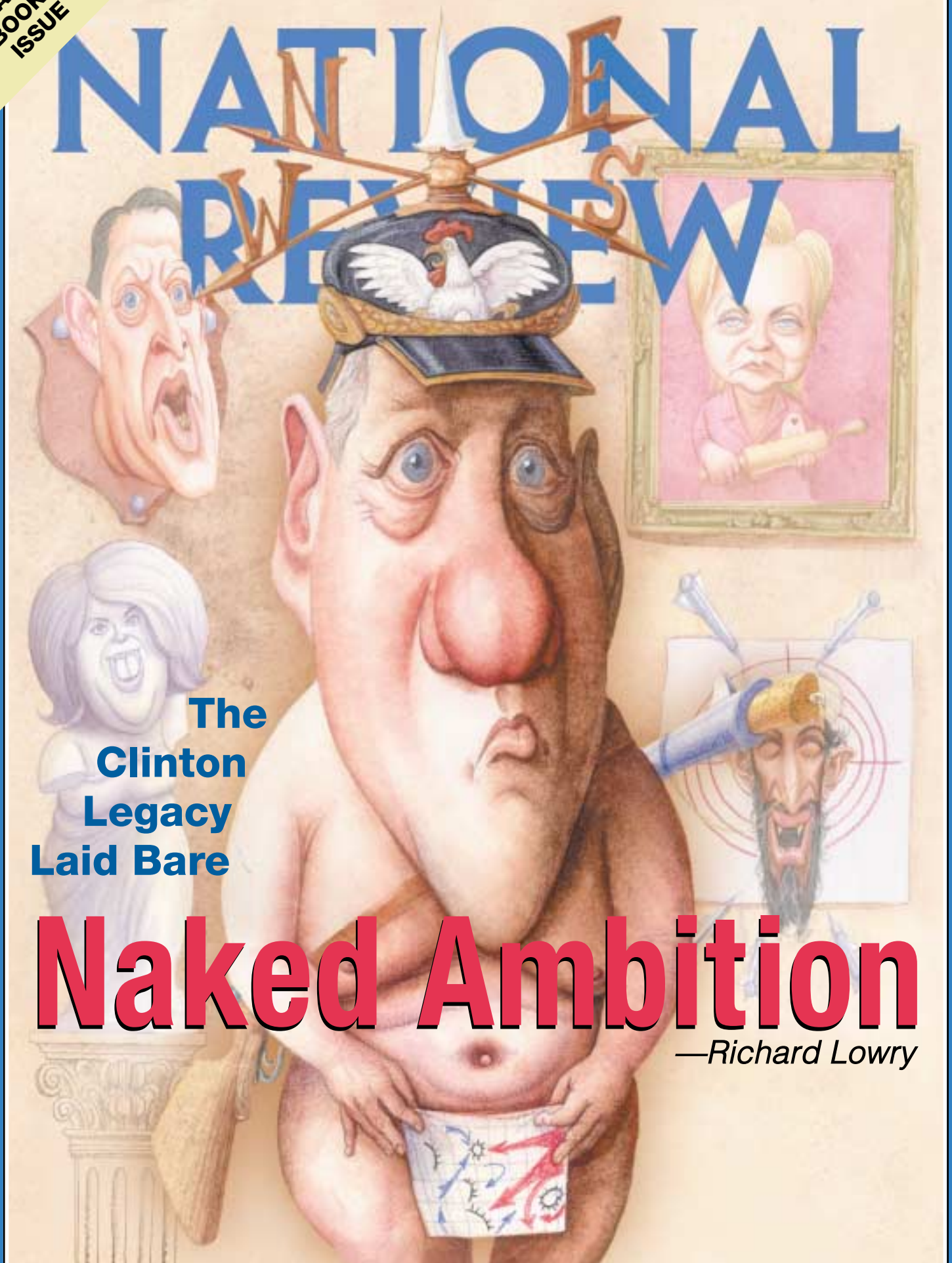
NATIONAL REVIEW



The Clinton Legacy Laid Bare

Naked Ambition

—Richard Lowry

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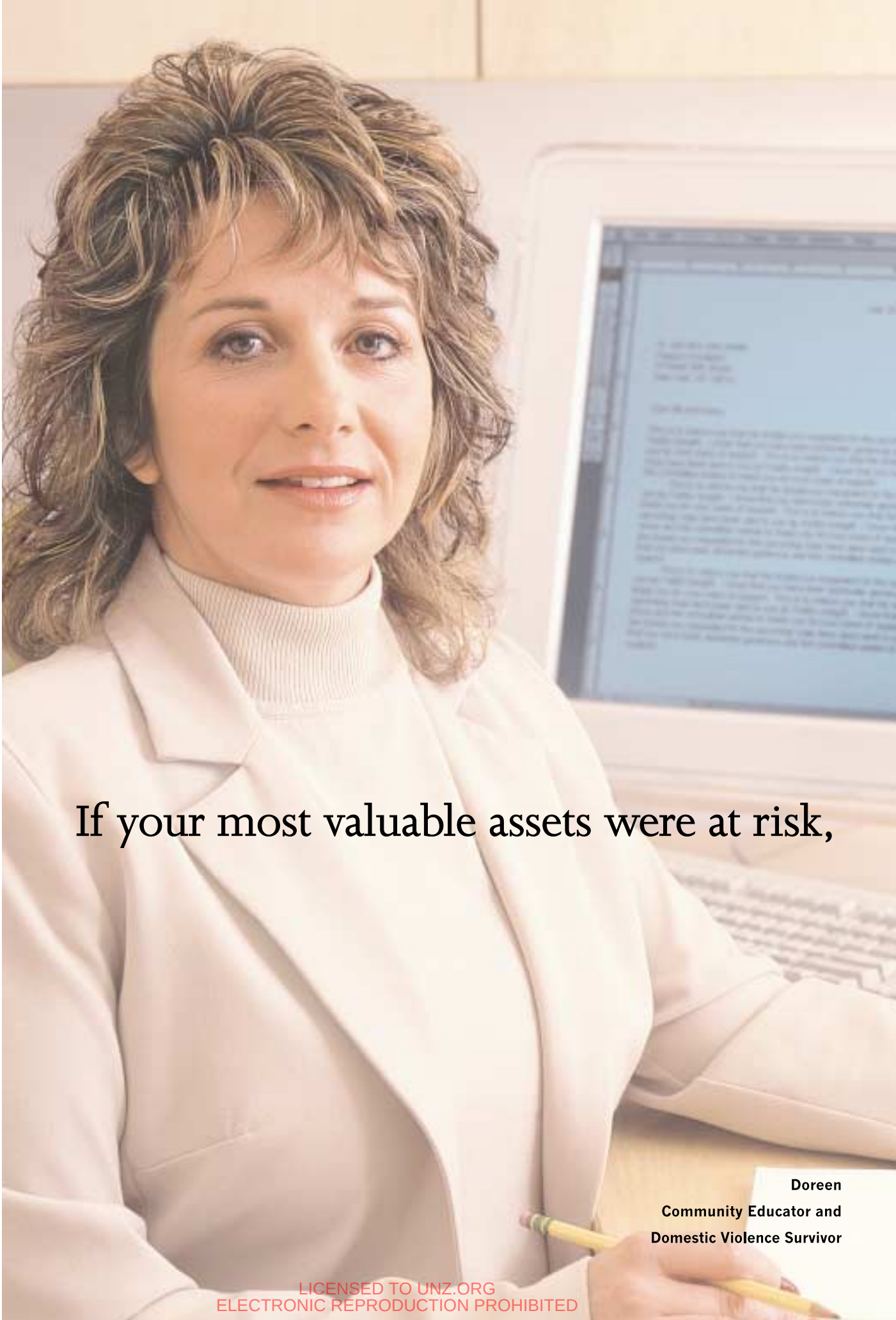

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October 27, 2003 VOL. LV, NO. 20

NATIONAL REVIEW

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■ COVER STORY

Naked Ambition

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Bill Clinton's unique contribution in office was to flip-flop and maneuver his way to substanceless political popularity, and to leave grave foreign-policy crises festering for his successor, from North Korea, to the Israeli–Palestinian conflict, to Iraq and al-Qaeda. Clinton's sterling "legacy" is built on spin, lies, and misunderstandings.

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October 27 issue; printed October 9

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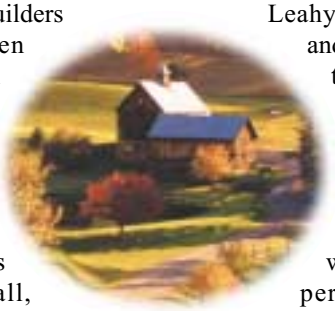
letters to the editor

A COMPOSER RESPONDS

I was quite surprised to find that NR would take the time to comment on my new symphony. [The Symphony No. 3, commissioned by the New York Philharmonic to commemorate the second anniversary of September 11. It uses the 9th-century Anglo-Saxon poem "The Ruin."] Your editorial paragraph ("The Week," Oct. 13) was directed toward political implications that you apparently perceived as guiding my choice of text, rather than toward a consideration of the music itself and how it seeks to communicate those aspects of the text that were most important to me.

The fact is, I chose "The Ruin" precisely because it celebrates the achievement of those ancient builders and their striving, even though, as must happen to all things, the great city they built suffered misfortune. The editorial's take on the line "Death swept away all the bravery of men" is simply wrong—after all, death is final, and in its finality it sweeps away everything. I certainly was not intending this as any sort of deprecation of those who died that day or of those who worked so tirelessly and, yes, bravely to rescue whom they could, and I believe that I am well within my rights to resent the inference that somehow I was impugning their memory and deeds.



Although my symphony was scheduled for premiere near the second anniversary of the September 11 attack, I consider the text to be related to it only metaphorically, in the same way that the Lamentations of Jeremiah form part of the Holy Week liturgy, not because of their direct relation to the crucifixion but because of their metaphorical connection. My piece is a work of affirmation, even triumph, and, musically, it ends quite clearly on a triumphant note. This, then, has nothing to do with anything that can be so glibly dismissed as "what one might expect from the elite class," but rather was offered as a sincerely felt and very personal commemorative work from an artist, raised in Manhattan, who was deeply affected, more than mere words can say, by the events of that terrible day, and who wanted to create a work very much about never yielding to defeatism.

Stephen Hartke
Glendale, Calif.

SENATE RANKINGS

As a lifelong New Yorker, I was appalled to spot an error in Jonah Goldberg's otherwise excellent article on the state of Vermont, the California of the East Coast ("The 'Flatlanders' and their King," Oct. 13). Goldberg describes Vermont's senator Patrick Leahy as "the most arrogant and nasty Democratic senator serving today."

Two distinctions in one sentence for Senator Leahy? As anyone who follows New York politics is well aware, the nastiest person in the Senate is Charles Schumer. While New York is blessed with two first-term senators who see no problem that our tax dollars can't solve, it is Senator Schumer who has managed to force his own religious test on America's judicial candidates. One fears God Himself would not pass "Chuck's Do-It-Yourself Have-No-Deep-Seated-Beliefs Test." Of course, by mentioning God in this letter, I have probably made myself ineligible for judicial office.

That's my loss, but I strongly believe no one in the Senate is nastier than Charles Schumer.

Andrew Scott Waterman
Olean, N.Y.

GEOFFREY AND JOHN

If NR is read in heaven (as, of course, it is) Chaucer must be greene with envye ("The Sacramento Tales," by John Derbyshire, Sept. 29)!

Lucy Beckstead
Wheat Ridge, Colo.

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Should the Pentagon Rely on China's Defense Suppliers?

The U.S. Department of Defense does not know who makes most of the components that go into the weapon systems that it buys.

Largely, this ignorance comes from policies made by the Clinton Administration that encourage defense contractors to use the least expensive commercial compnents, no matter who makes them or where.

Consequently, more than half the semiconductors, hard drives and other electronics produced today come from a cluster of factories in China and the nations that surround it - Taiwan, Indonesia, Japan, South Korea, Malaysia, the Philippine's, Singapore, and Thailand.

Consider this. Taiwan -- a small, vulnerable island nation found close to China -- supplies 25 percent of the world's personal computers, 58 percent of the Liquid Crystal Display monitors, 50 percent of computer networking hardware, 64 percent of network interface cards, 51 percent of DSL modems, and 65 percent of cable modems. This, of course, does not include the related production from factories in the People's Republic of China, South Korea, or Japan.

Apparently, the unexamined question in Washington is what would happen to this long supply line across the Pacific if China moved to take Taiwan, as it has repeatedly threatened, and the United States intervened, as it has repeatedly promised?

In such a conflict, would China allow any nation in its sphere of influence to ship U.S. defense contractors any components essential to America's national security? Even if these nations were willing, could they?

Earlier this year, Chairman Duncan Hunter (R-CA) of the House Armed Services Committee sponsored legislation, now approved in the U.S. House of Representatives, to expand the "Buy America" provisions to include defense-related machine tools, hardware, and electronics. Soon, the U.S. Senate will consider that legislation.

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for the record

"This may be a little too subtle . . ."

■ In CBS News/*New York Times* poll, President **Bush** earns 51 percent approval rating. . . . Bush: "The strength of this country is the fact that when communities all across America, when we find somebody who hurts, there is some good soul willing to stand up and say, 'I love you.'" . . . In ABC News poll, 50 percent approve Bush's handling of Iraq and 62 percent oppose administration request to spend extra $87 billion on Iraq. . . . Secretary of defense **Donald Rumsfeld**: "I'm sure you've heard suggestions that the Iraq plan is flawed; that the U.S. is going it alone; that the U.S. didn't anticipate the level of resistance the coalition would face; and that the U.S. failed to send enough forces to do the job. I'm speaking of course about the suggestions that were offered two weeks into the Iraq war when some prognosticators were declaring that Operation Iraqi Freedom was a failure. Then the coalition forces took Baghdad in 21 days." . . . Sen. **Jon Kyl** (R., Ariz.): "Nations that opposed the Iraq war need to end their fixation on petty grievances and lend a hand." . . . CIA weapons expert **David Kay**: "We have found substantial evidence of an intent of senior-level Iraqi officials, including **Saddam**, to continue production at some future point in time of weapons of mass destruction." . . . More Kay: "We have not found at this point actual weapons. It does not mean we've concluded there are no actual weapons."

■ Former governor **Howard Dean** (D., Vt.) at Democratic debate in New York: "We need to remember the enemy here is George Bush, not each other." . . . Dean on retired Gen. **Wesley Clark** (D.), on CBS: "I think what you see in the Wes Clark candidacy is somewhat of a desperation by inside-the-Beltway politicians. You've got a lot of establishment politicians now surrounding a general who was a Republican until 25 days ago." . . . Rep. **Dick Gephardt** (D., Mo.) to Dean: "You've been saying for many months now that you're the head of the Democratic wing of the Democratic party. I think you are just winging it." . . . Gov. **Jeb Bush** (R., Fla.) on Dean's presidential qualifications: "Being governor of a state that's got a budget half the size of Miami-Dade County makes him eminently qualified." . . . Gephardt hurt by AFL-CIO's refusal to give him early endorsement. . . . Gephardt misses 90 percent of votes in House as he campaigns for president. . . . Sen. **John Kerry** (D., Mass.) misses 61 percent of Senate votes. . . . Kerry on Bush administration: "They can't find **Osama bin Laden**. They can't find Saddam Hussein. They can't even find a leaker in the White House."

■ In Gannett poll, 32-year-old son of Indian immigrants **Bobby Jindal** (R.) leads race to become next governor of Louisiana. . . . In Quinnipiac University poll, Sen. **Hillary Clinton** (D., N.Y.) earns 61 percent approval rating and 43 percent of Republicans say Sen. **Chuck Schumer** (D., N.Y.) deserves reelection. . . . Former Clinton spokesman **Mike McCurry** on decision to televise White House press briefings, in *Washingtonian*: "In retrospect, as much as it made me famous, it was a mistake. It became this kind of theater of the absurd, with people braying their questions and the press secretary with sweat pouring down his forehead taking all this incoming fire."

■ **Tom DeLay**, following House vote banning partial-birth abortion: "The American people have turned away from the divisive politics of abortion and embraced the inclusive politics of life." . . . House Speaker **Denny Hastert** (R., Ill.) says he will run for reelection next year, putting him on track to become longest-serving Republican Speaker in nearly a century. . . . Rep. **Tom Tancredo** (R., Colo.) proposes rule banning race-based congressional caucuses.

■ Sen. **Dianne Feinstein** (D., Calif.) on her support for D.C. school choice: "That's what this is all about—to see if these children have a better start in education within a different model." . . . Lt. Gov. **Cruz Bustamante** (D.) before California recall election: "Clearly, we spent too much. As a government, we spent too much. We spent more money than was coming in. There's no rocket science to this." . . . In Gallup poll, 51 percent say "government is trying to do too many things that should be left to individuals and businesses," and 43 percent say "government should do more to solve our country's problems." . . . George Bush Presidential Library Foundation announces winner of 2003 George Bush Award for Excellence in Public Service: Sen. **Ted Kennedy** (D., Mass.). . . . *Human Life Review*'s Great Defender of Life Dinner honoring Rep. **Henry Hyde** (R., Ill.) and remembering founding editor **James P. McFadden** will be held on Oct. 17 in New York City.

■ In Cuba, activist **Oswaldo Payá** delivers more than 14,000 signatures to Cuban parliament demanding referendum for political reforms. . . . Russian president **Vladimir Putin** on global warming: "Here in Russia you can often hear people say—sometimes jokingly, sometimes seriously—that Russia is a northern country, so if it warms up two or three degrees it's not terrible. It might even be good—we'd spend less money on fur coats and other warm things." . . . As rumors spread about Pope **John Paul II**'s failing health, longtime aide Archbishop **Stanislaw Dziwisz** comments: "Many journalists who in the past have written about the pope's health are already in heaven."

■ **David Letterman**: "The *L.A. Times* accused [**Arnold Schwarzenegger**] of groping six women and out of habit Hillary Clinton forgave him." **NR**

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THE WEEK

■ And they said Arnold wasn't a true Kennedy!

■ Schwarzenegger's big win in California is being taken in some quarters as a sign that there is a new Republican party aborning—one that is "inclusive," "tolerant," cool, and not uptight about such matters as the killing of unborn children in the womb. The media do this every time a liberal Republican gets elected: Remember when Christie Whitman was hailed as the future of the GOP? The Republican party remains broadly conservative. Schwarzenegger may very well have lost a Republican primary if one had been held. While the idea persists that California voters hate and fear conservatives, the opinion polls say that the most popular politician in California is a pro-life, pro-gun fiscal conservative named Tom McClintock. If Schwarzenegger had not run, indeed, McClintock might have won the race. (And if McClintock had not run, Schwarzenegger might have run a less conservative campaign.) The new governor will have plenty to do next year. He will need to fight for tax and spending reforms with a left-wing legislature, and take the fight to the public if (when) the legislature is obstreperous. We wish him good luck, and good judgment—which would preclude him from trying to be the national leader of the left wing of the GOP.

■ Note the opportunism of the *Los Angeles Times*'s waiting until the home stretch to publish allegations that Schwarzenegger groped numerous women who crossed his professional path. Note the hypocrisy of Arnold's feminist opponents who held him to a standard they did not apply to Bill Clinton ("The difference," said Patricia Foulkrod, an activist at an anti-Schwarzenegger rally, "is that Clinton was so brilliant"). Factor in the possibility that many of the accusations were simply made up. Still Schwarzenegger himself has said, "Wherever there is smoke, there is fire. . . . I was on rowdy movie sets and I have done things that were not right which I thought then [were] playful." What he thought was "playful" were gross acts and boobish propositions, yukked-over by posses of fawning toadies. If that is celebrity culture, so much the worse for it. Men should not behave like that.

■ While we masticate the results of the California recall, let us not forget to put in a bad word for the system itself. Anything that tends to government by plebiscite should be discouraged. People have the chance to make their opinions felt on Election Day. Until the next election, they should abide by the consequences of what they have done. You make your bed; lie in it. When you arise, aching and uncomfortable, perhaps you will do a better job next time. The only good thing to say in behalf of recall is that, although it's a feature of many state constitutions, the California recall is only the second time in 80-odd years that a governor has been subject to a recall vote (North Dakota recalled a governor in the '20s). Let us hope that this high-publicity event will not encourage imitations.

ROMAN GENN

■ Bob Graham, the Democratic senator from Florida, acknowledged that his presidential campaign had gone nowhere and dropped out. We hope that this decision is part of a more general re-acquaintance between the senator, who recently mused that it might be a good idea to impeach the president for lying about Iraq, and reality.

■ Care to visit a Democratic debate? Howard Dean said, "We need to remember that the enemy here [in this campaign] is George Bush, not each other." Now, we understand the loose rhetoric of political debate—but if a Republican had referred to a Democrat as "the enemy" . . . ? And here's Dick Gephardt: "Greed, selfishness, can kill this great democracy and ruin capitalism. We need a president different than George Bush, who was brought to office by the millionaires." By the millionaires, huh? There must be a lot of millionaires in America. And too bad Al Gore didn't have anyone with money behind him! Dennis Kucinich, a candidate almost from outer space, complained about the "maldistribution of the wealth" in this country—a perfect expression of the collectivist mindset. Finally, John Edwards spoke of "expanding the investor class."

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What Happened to Tony Blair, America's "Best Friend"?

Gerald A. Dorfman is a senior fellow at the Hoover Institution

Over the more than two years since 9/11, and especially during the run-up to the war in Iraq, President Bush repeatedly praised Prime Minister Blair of Britain as America's best friend and closest ally.

So what has happened to our best friend since the war ended? The answer is, simply, nothing good. Like President Bush, Blair enjoyed what the London media styled the "Baghdad bounce" after major hostilities in Iraq ended. For a few weeks, Blair (like Bush) and his Labour government experienced a surge of national pride that translated into swelling support in the public opinion polls. But alas it was not to last, and today **Blair and his government have less support than at any time since they took office in 1997.** What was a double-digit poll lead before the war has collapsed into a three- to five-point deficit to the opposition Conservative Party. Blair, the most trusted and respected political leader in Britain before the war, is now the least trusted and respected. Why such a steep fall?

A big part of the answer is that Blair took a much greater political risk in leading his nation into war than did President Bush. Although Blair took the initiative on Iraq from a position of unprecedented political strength, he also faced much stronger domestic opposition from the start. Even more important, the bulk of that domestic opposition came from within his own Labour Party in sharp contrast to President Bush, who enjoyed his strongest support from within his own Republican Party. Therein lay the origin of what has been Blair's misery. **In laying out the case for war, Blair needed to convince his core political supporters.**

Case in point, Blair never convinced half his Cabinet or a third of the Labour members of the House of Commons, none of whom ever came to accept that Iraq posed a clear and present danger to British security. Moreover, they did not like Blair's close relationship with Bush—scorning Blair as no more than Bush's "poodle." So when Blair went to war, his Labour colleagues did no more than go along with what they regarded as "Blair's War," including its attendant political risks.

Blair was highly vulnerable to the political disaster he has been suffering. The failure to find weapons of mass destruction immediately set off shrill demands for an investigation of the entire Iraq policy. This led to the (questionable) accusation that Blair had a key role in exaggerating the case for war. Recently, Blair has suffered through a public judicial investigation of the suicide of a government scientist who apparently made such a charge to a BBC journalist. A highly damaging report from this investigation plus more investigations to follow may make matters worse. But whatever happens the important political consequence for Blair is already known. He has lost the most precious of political advantages, trust and respect, which were the strongest elements of his success. He has indeed paid a steep price to be America's best friend.

— Gerald A. Dorfman

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THE WEEK...

Hurray! Has he been reading NATIONAL REVIEW lately? Unfortunately, his policy proposals don't match his talk, but it's good to hear the words "investor class" from any Democrat.

■ It seems that the acceptance of Al Sharpton is complete—complete within the Democratic party, and within our country's media establishment. Not another Democratic presidential candidate, not a mainstream journalist mentions Steven Pagones or Freddy's Fashion Mart (to begin with). Pagones, recall, is the man whose life Sharpton all but ruined: He charged that Pagones had raped a girl named Tawana Brawley, who had not been raped by anyone. "The Rev" has steadfastly refused to apologize to Pagones; it is apparently a matter of perverse principle with him. At Freddy's Fashion Mart, Sharpton merely had a hand in inciting the murder of seven people. He turned his ire on "white interlopers" in Harlem, and one of his more action-oriented followers turned his gun and matches on the store. But now, Sharpton is basically just another Democrat, as unremarkable as, say, Senator Dodd. The other presidential candidates welcome him as just another guy on the platform. He swans through the various capitals, glad-handing, attending A-list parties, being welcomed in television studios, etc. We're all for repentance and redemption—but redemption without repentance is a little odd.

■ The four top officers of the Air Force Academy have lost their jobs over allegations that over the last decade, the institution has mishandled female cadets' accusations of rape and sexual assault. The allegations have inspired two Air Force studies, a Department of Defense study, and a congressionally mandated independent review of the allegations. At the latest hearing on the scandal, John Warner, the Virginia Republican who serves as chairman of the Senate Armed Services Committee, told Air Force secretary James Roche that his nomination to become secretary of the Army is on hold. The Senate intends to keep Roche, and therefore the Army and the Air Force, in limbo until yet more reports on the scandal are delivered in December. Never mind that Roche wasn't in charge when the academy was allegedly discouraging cadets from reporting assaults. In the Pentagon, it seems that only gender crimes are punishable by job loss: Let's see if anyone is held accountable for the scandalous security lapses at Guantanamo Bay. Meanwhile, the senators hold the services hostage so that they can grandstand about a cadet scandal. Good thing we're not at war.

■ Tens of thousands of immigrants, many of them illegal, rallied in Washington, D.C., and Queens, N.Y. Their goal: to launch an immigrants' rights movement, modeled on the freedom rides of the early '60s. (The freedom riders wanted to let Americans vote; the ralliers want to reward alien lawbreakers with citizenship.) The main patrons of the Queens affair were John Sweeney of the AFL-CIO, who has decided to sell out current union members in the hope of signing up new ones; and Edward Cardinal Egan, who is trying to keep the Catholic Church's hand in during a demographic tsunami (many Latin Americans have converted to Protestantism). The next patron is already on the horizon: the Democratic party. Gray Davis's decision (which Arnold Schwarzenegger opposed) to issue driver's licenses to illegals opens the door to illegal voting, since motor voter is the wave of the future.

■ Do telemarketers have a First Amendment right to call you at dinner? A federal judge has come close to saying so. The federal government had established a "do not call" list, and made it illegal for telemarketers to call anyone who had signed up for it. A judge struck down the initiative on the grounds that the law blocked only commercial phone calls—not phone calls for charitable, religious, or political fundraising—and thus discriminated among types of speech. If the logic of the decision is pursued, state-level do-not-call initiatives may also be in danger. Whether the restriction of telemarketers is a proper use of federal power is debatable. But the First Amendment should not come into play here. When it was ratified, it was understood to mean that people would not be punished for expressing their political views. The country never ratified a free-speech principle so expansive as to bar the regulation of telemarketers. That a judge could rule as though it had is a testament to the deformation that decades of misguided judicial decisions have worked on our understanding of the Constitution.

■ NO ILLICIT ARMS FOUND IN IRAQ, U.S. INSPECTOR TELLS CONGRESS (headline, *New York Times*). SEARCH IN IRAQ FINDS NO BANNED WEAPONS (headline, *Washington Post*). Thus two of our papers of record characterized David Kay's provisional briefing to Congress on the findings of the CIA's Iraq Survey Group. Democrats chimed in. "It was clear to me," said House minority leader Nancy Pelosi, "that there was no imminence of a threat for weapons of mass destruction." A narrow truth is used to draw an irrelevant conclusion. There were no completed weapons sitting on warehouse shelves. But Kay told Congress that the CIA had "discovered dozens of WMD-related program activities and significant amounts of equipment" that Iraq concealed from the United Nations, including labs with the capability to "surge the production of [biological] agents." The CIA found a vial of botulinum toxin in a scientist's home, and the remains of destroyed documents and computer hard drives elsewhere. Iraq had a program to build missiles beyond the range allowed by the U.N. This was not, as Rep. Pelosi said, "imminence." But President Bush did not use imminence as a *casus belli*. "Some have said we must not act until the threat is imminent," Bush told the nation in his State of the Union address this January. "Since when have terrorists and tyrants announced their intentions . . . ? If this threat is permitted to fully and suddenly emerge, all actions, all words and all

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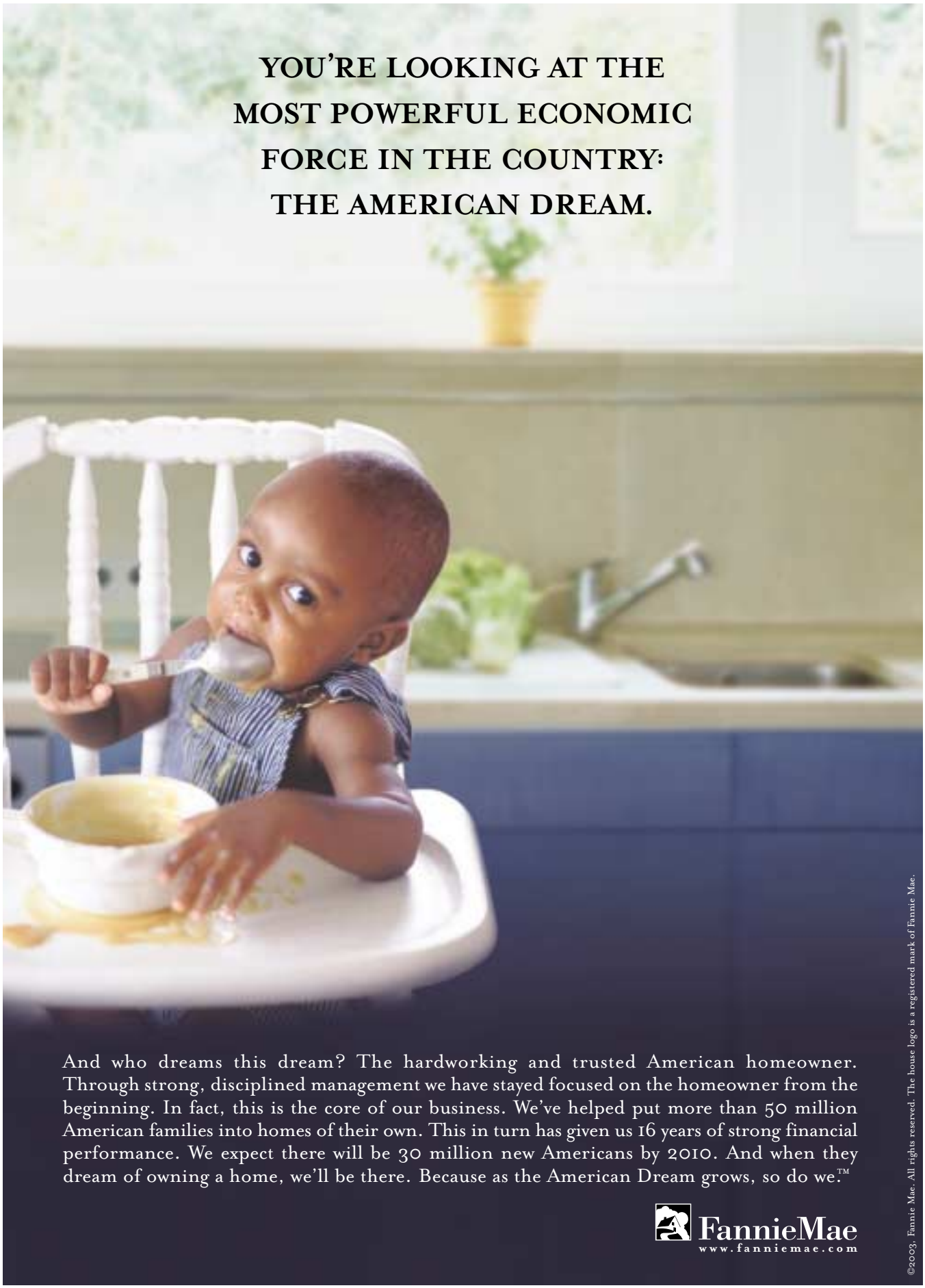
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THE WEEK...

recriminations would come too late." Saddam Hussein, who had used WMDs in the past, was seeking to restock his arsenals, and concealing his activities from the world. Who but Osama could applaud that state of affairs?

■ Did we bust up Iraq, leaving it to terror, chaos, and despair? And if we did, shouldn't we leave? One might say that even anarchy is preferable to Saddam. But one should not say that, because the condition of Iraq is not anarchic. Rep. Jim Marshall (D., Ga.) went to Iraq in mid September, and has written his conclusions in the *Atlanta Constitution* and the *Washington Post*. Marshall, a Vietnam vet, has lived nightmares, and Iraq was different. "Throughout Iraq, American soldiers with their typical 'can do' attitude and ingenuity are engaging in thousands upon thousands of small reconstruction projects, working with Iraqi contractors and citizens." Why is the media picture so different? The embedded reporters who gave such vivid coverage of the war have gone home, replaced (if at all) by correspondents in Baghdad, where disorder is maximal. "Responsible Democrats should carefully avoid using the language of failure. It is false. . . . It can be unforgivably self-fulfilling." Americans can bear the sacrifices of the post-war war, if they know that it is being won.

■ Islamic Jihad is one of a dozen terrorist groups with headquarters and bases in Syria, earning that country its well-deserved place on the State Department's list of rogue states. Those who plan Islamic Jihad's tactics of murdering Jews and Christians operate openly in Damascus, but, with a black humor all his own, Syrian president Bashar al-Assad describes them as press officers. A young woman filled with Islamic Jihad murderousness walks up to a restaurant in Haifa and blows herself up, killing 19 people and wounding 50 more. Several of the dead are Arabs, including three members of the Matar family, Christians who owned the restaurant. So, what to do? In comparable circumstances, America took out some Qaeda leaders detected in Yemen. Israeli aircraft bombed an Islamic Jihad training camp close to Damascus, in fact killing nobody, no doubt because the terrorists had anticipated what was to come and moved out. Brazenly, Syria tried to make an issue of it at the United Nations. The Israeli warning to President al-Assad and those press officers under his sponsorship stands: Terror has to stop, or else.

■ In a palace in Rome built between the wars by Mussolini, the leaders of the European Union are thrashing out what are supposed to be final fine-print details of a constitution that will give Europe a political and legal identity as a state. In theory, it's all a done deal, stitched up over the last 18 months under the direction of Valéry Giscard d'Estaing, a former French president with a most superior manner. As usual where the European Union is concerned, the people see how the politicians are accumulating power without accountability, and most don't like it. A centralized super-state is in the making, and voters have been given few opportunities to give their opinion about it. A conservative, the Czech president Vaclav Klaus, has refused to attend ceremonies in the Rome palace, and dramatically attacked the draft constitution. He makes the obvious point that the coming state of Europe must mark the end of previously sovereign states. In that case, Czech citizens can expect their voice and their influence soon to be "almost zero." In fact about a third of the 25 countries involved are committed to holding a referendum on whether to approve the constitution. As push comes to shove, the voters may still have a chance to remember the Velvet Revolution that so recently brought the Czechs their freedom, and to extend something like it to themselves.

■ When in 1984 President Reagan pulled the U.S. out of UNESCO, we doffed our hats. At the time, UNESCO was aggressively corrupt and unflaggingly Marxist—often on our tab (the U.S. provided a quarter of its budget). Nineteen years later, President Bush has returned us to the fold: "This organization has been reformed, and America will participate fully in its mission to advance human rights and tolerance and learning." Reagan's move was an act of leadership, not just for his time but for the present: It provides us an important precedent to hold over the institutions that, though they rely heavily on us, too often abuse U.S. support. We are glad that things seem to have changed at UNESCO—and we know whom to thank.

■ President Bush directed Colin Powell to transfer monies slated for the United Nations Population Fund to the Child Survival and Health Programs Fund. The directive denies financing to a pernicious agency—long a target of pro-lifers' ire for subsidizing coercive population-control programs—and does so without letting abortion advocates spin it as an abandonment of women and children in the Third World. The move is another example of how this White House has taken a key role in fostering a culture of life, here and abroad.

■ A poll of the entire world published by Britain's *New Scientist* magazine has concluded that Nigerians are the happiest people, Romanians the unhappiest. Mexico was number 2, while the United States ranked only 16th. (Which raises the interesting question: Why are *they* clambering over border fences, wading through rivers, and trekking across deserts to get into *our* country?) What everybody wants to know from a sur-

THEY'RE, LIKE, SICK

Temps, always the first to go, smile,
Thumbs up, as they hack their way back.
Retailers hawk juicier jobs;
And though manufacturing's slack,
It's starting to wiggle its toes
As corpuscles thicken: But Joe,
John, Howard, Dick, Wesley et al.
Can't let those old job numbers go.

—W. H. VON DREELE

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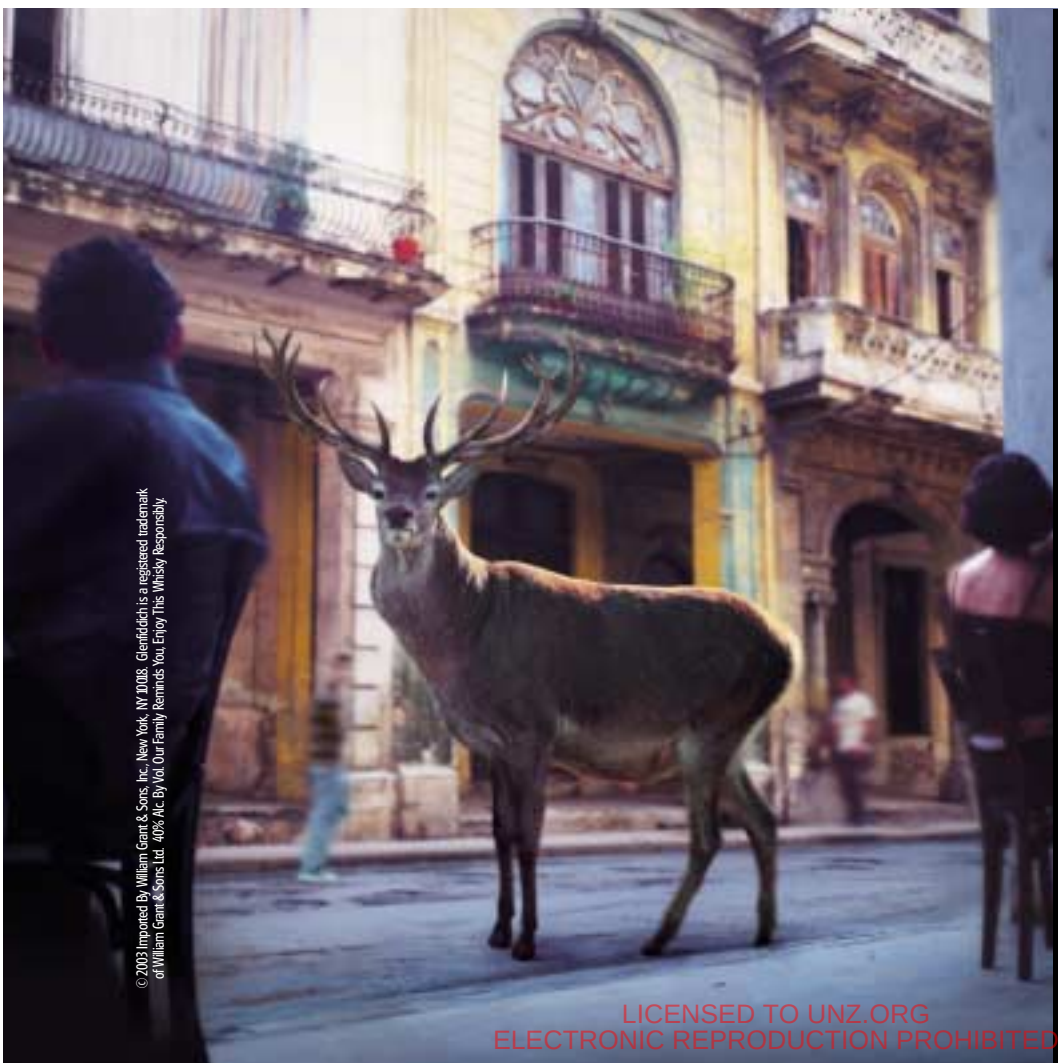
vey of this sort is, of course: Does money make you happy? Since Nigeria and Romania are both seriously poor, and Mexico poorer than the U.S., it would seem to be hard to draw any clear conclusion on this point. After careful analysis of the survey results, however, the researchers note that happiness levels have remained the same in industrialized nations since World War II, although incomes have risen considerably. They deduce that: "The desire for material goods, which has increased hand in hand with average income, is a happiness suppressant." Reminds us of a remark recorded almost 2,000 years ago, without benefit of any surveys at all: "Lay not up for yourselves treasures upon earth, where moth and rust doth corrupt . . ."

■ If you are looking for a new board game to keep the family occupied over the Christmas holidays, why not try Ghettopoly? This re-working of the classic Monopoly game is played according to the same general principles, but in place of the old familiar boot, thimble, race car, and so on as playing pieces, it features a pimp, a hooker, an Uzi, a bottle of malt liquor, a basketball, a marijuana leaf, and a lump of crack cocaine. The object is to erect crack houses or project buildings while trying to avoid being shot, carjacked, or drug addicted. Sounds like fun; but wouldn't you know it, those killjoys at the NAACP have denounced the game as "racist," "insensitive," and "sending the wrong message." The game's inventor, David Chang—he is an immigrant from Taiwan—says these charges are unfair, noting that the game board is in fact multicultural, with properties like Ling Ling's Massage Parlor. He says he plans to market more games of this kind: Coming next spring will be Redneckopoly for working-class southern white folk and a Mafia-themed Hoodopoly, followed later by Hiphopopoly. Memo to the NAACP: If you can't beat 'em, why not join 'em? How about a Racialsensitivopoly targeted at guilty white liberals, in which you have to get around the board without offending anyone . . .

■ One paradox that the animal-rights activists have never quite faced up to is that the innocent-looking, furry little creatures that are the objects of their concern have a way of behaving, in their natural state, like wild beasts. In August, a commando squad from the Animal Liberation Front raided a mink farm in Washington state, freeing 10,000 minks into the wild. The liberated minks swarmed over the neighboring countryside, launching ferocious attacks on a menagerie of exotic birds; a flock of chickens; a Labrador retriever; and the fish of local rivers. Those unable to find any other source of food may take to eating one another. Minks are cannibals, other than toward their own siblings. This has created serious problems for the proprietors of the mink farm now that 9,000 or so of their charges have been recaptured. They can't determine which minks are related to which, and don't have enough cages to house the little devils individually. If you cage a mink with an unrelated mink, you get an ugly mink fight, the loser of which becomes the winner's dinner. We must console ourselves with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the thought that the minks thus consumed will at least not be contributing their pelts to anyone's fur coat.

■ In a perfect world, journalists would think intelligently about freedom of the press and defend the same. But, sadly, we're stuck with the likes of Gerson Borrero, former editor-in-chief of the New York-based Spanish-language daily *El Diario-La Prensa*. When the owners of that paper pulled a column signed by Fidel Castro, Borrero resigned in protest. (The column eventually found its way to the opinion section of the New York *Daily News*.) There is special irony in a newspaperman's expressing solidarity with a dictator who makes a specialty of jailing independent journalists. But the fundamental confusion here was expressed best (worst?) by Bronx borough president Fernando Ferrer, who asked, "This is what we condemn Castro for, and they want to do the same thing?" No, Mr. Ferrer, it isn't at all the same: The owners of *El Diario-La Prensa*, unlike their Cuban counterparts, have the right to decide for themselves what to print. That they exercised this right by denying a soapbox to a brutal and lying tyrant is something for which they should be applauded.

■ Ah, Britney, Britney. Here, there, and everywhere, showing more and more of everything. Miss Spears's fourth album is about to appear, so she must do everything in her considerable power to ramp up sales. Only remember (the autumnal thought may have crossed your mind when you kissed Madonna) that you can ride the wave for years; everyone will look at you and talk about you; but then, the wave will pass on. You will stay in the public eye, but it will be for your phony British accent and your failed movies (as with Madonna), or for your weight, your health, and your umpteenth marriage (as with Elizabeth Taylor). "The witch that came (the withered hag) / To wash the steps with pail and rag, / Was once the beauty Abishag . . ."

■ Edward Said was a man of undoubted gifts, and it must remain a sadness that he did such harm where he might have done great good. Palestinian by origin, but an American citizen by choice, like his father before him, and a professor safe in New York, he was in a unique position to analyze the predicament in which the Palestinians find themselves and help them to overcome it. Palestinian leaders have consistently made decisions that condemned their people to violence and consummated their ruin, but Said fell back on the simple tribal outlook that Palestinians were invariably blameless, the victims of other people who were all wicked. In his books, notably *Orientalism*, he went further to claim that the West in all its dealings with the Arab world had been deceitful and exploitative. Never responsible in this view for themselves and their fates, Arabs had been defenseless against unscrupulous people conspiring to gain power over them. There were no innocent relationships either: Explorers, scholars, epigraphists, traders, tourists—all were guilty. This unhistorical mish-mash of Marxism and Foucault encouraged more violence and ruin that will need many more years to work out. The classical Greek historian Polybius long ago put his finger on the legacy created by cause-mongering writers: "If history is deprived of the truth, we are left with nothing but an idle, unprofitable tale." R.I.P.

■ Elia Kazan, son of an Anatolian rug merchant, mastered a narrow but vital genre: American post-war drama. The venue might be Broadway or Hollywood; the script might be Arthur Miller or Tennessee Williams; the form might call for ashcan realism or symbolism. But the dominant note of such works was full-throttle emotion. As a director, Kazan coaxed passion from a host of great actors, notably Marlon Brando. He had a real-life drama off stage. As a member of the left-wing Group Theater in the '30s, Kazan was ordered by the Communist party, to which he belonged, to help take over the group. Kazan refused; the Party ordered him to recant; Kazan quit. In 1952, he named Communist show-business figures to the House Committee on Un-American Activities, and took out a full-page ad in the *New York Times* in which he called the Party "a dangerous and alien conspiracy." Kazan should be honored for his art, his perceptions, and his courage. Dead at 94, R.I.P.

IRAQ

Worth Every Penny

FOREIGN aid is not popular in America, and for excellent reasons. Too often it amounts to "poor people in rich countries sending money to rich people in poor countries," to quote the late, great development economist Peter Bauer. So it is not surprising that President Bush's request for $87 billion for Iraq—$67 billion for the military and $20 billion for reconstruction aid—has run into trouble on Capitol Hill. The polls are not favorable, so neither are the pols. Many conservative Republicans are balking at the price tag, and complaining that some of the spending in Bush's bill would be wasteful. In an op-ed for National Review Online, Stephen Moore and Rep. Tom Feeney of Florida argued that Iraq could pay for its own reconstruction, especially if other countries forgave it the debts that Saddam Hussein incurred.

We have no more important foreign-policy objective today than establishing a peaceful, stable, and free Iraq.

Moore and Feeney are right to say that the debts should be forgiven. The new regime in Iraq should not be saddled with the debts of its predecessor; and if the cancellation of the debt discourages future lending to odious dictators, so much the better. If Congress can find ways to improve the bill by cutting unnecessary spending—which is not its usual practice when it comes to spending bills—then it should by all means do so. But as conservative representative John Shadegg has pointed out, we don't need 535 reconstruction czars.

Besides, saving money should not be the priority of congressional conservatives in taking up this legislation. Ensuring the success of our foreign policy should be. We have no more important foreign-policy objective today than

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establishing a peaceful, stable, and free Iraq. The reconstruction aid is defense spending every bit as much as the money for our armed forces is.

It is hard to see how our foreign policy would be advanced by having Iraq repay us for the cost of reconstruction—and even for the cost of the war, as Moore and Feeney suggest—out of its future oil revenues. If this suggestion were followed, our enemies and detractors around the world would say that we had invaded Iraq to get its oil money. That would be untrue, of course. But why hand our opponents the opportunity?

We have no doubt that some money will be wasted in Iraq. But if the bill contributes to our mission there—and nobody has denied that it would—it will be worth some waste. Failure in Iraq would be much more costly, in every sense.

POLITICS

Leak Proof

For three weeks this summer, Washington, D.C., was obsessed with 16 words. It was one of those firestorms that threaten to take down the presidency and get their own logos on cable-news channels, and then are forgotten. The controversy centered on President Bush's claim, during the State of the Union address, that British intelligence believed that Saddam Hussein had sought uranium in Africa. British intelligence did believe that, and believes it still. But because the CIA had no evidence to support the British view, and because one Joseph Wilson had concluded on the CIA's behalf that no uranium had been acquired from Niger, it was alleged that Bush had told lies to take us to war. Wilson wrote an op-ed piece in the *New York Times* suggesting that Vice President Dick Cheney had sent him to Niger to find evidence of a uranium purchase and then ignored his findings. The administration handled the flap badly, saying that it had been a mistake to include the British claim in the speech. The concession only emboldened the critics. But eventually, the controversy died down.

Until now. One phony scandal has begotten another. The new Watergate—yes, the comparison has been made—consists of the accusation that the Bush White House retaliated against Wilson by blowing the cover of his wife, a CIA agent. The Justice Department is investigating. Democrats say that's not enough: They want a special prosecutor, or even an independent counsel, outside the control of the putatively nefarious John Ashcroft.

It seems unlikely that any law-breaking actually occurred. The statute that makes it a felony to reveal a CIA agent's identity applies only to intentional exposures by officials with authorized access to classified information. The officials must have reason to believe that the CIA is taking active steps to conceal the agent's identity. It is not clear that whoever leaked the fact that Mrs. Wilson works for the CIA knew that she was involved in covert operations or that her identity was a secret. If a leader did not know these things—and there was confusion about Mrs. Wilson's work at the CIA months after the leak—he did not commit a crime. Nor did the CIA take many steps to conceal her identity. When columnist Robert Novak contacted the CIA about the leak, it confirmed her employment while asking him, mildly, not to report her name.

The same people who think they know that the administration committed a crime also think they know its motive. The leak was "payback," an attempt to intimidate other members of the intelligence community from speaking out against Bush's policies. We admit to thinking, ourselves, that the CIA could stand to do rather less undermining of administration policy. But the motive may not have been retaliatory. The news coverage of this affair has ignored the fact that Joseph Wilson had fostered the impression that Cheney had sent him on his mission to Niger. What the leaker explained was that Wilson had been suggested for the mission by his wife, who works for the CIA. In the context of the argument that dominated Washington in July, the leak does not look so sinister.

The administration's critics could be wrong about the law and about motives while still being right about the turpitude of the leak. But a moral evaluation necessitates a wider lens. The CIA's nonchalance about the leak back in July is relevant to that evaluation. If keeping Mrs. Wilson's name out of the papers was important to national security, maybe someone should have advised Mr. Wilson not to write high-profile op-eds about jobs undertaken for the CIA that could expose his wife's employment. When Novak called Joseph Wilson to ask about his wife's job, Wilson didn't urge him not to write anything that would endanger her career, her life, or the nation's security—all of which he now claims to be worried about, while grinning for the cameras.

There remains the possibility that a crime was committed. The Justice Department investigation should proceed, the administration should honor its promises to cooperate with it, and if any lawbreakers are identified, they should be fired and prosecuted. The government should also attend to more important tasks, such as the reform of an intelligence agency that has shown more interest in politics than in fixing its own failures.

THE MEDIA

Rush Week

Rush Limbaugh has had better weeks. His troubles began with his latest triumph—an ESPN gig, commenting on the NFL. One Sunday, he suggested that Philadelphia Eagles quarterback Donovan McNabb was overrated.

"I think what we've had here is a little social concern in the NFL," Rush said. "I think the media has been very desirous that a black quarterback do well. We're interested in black coaches and black quarterbacks doing well. I think there's a little hope invested in McNabb and [therefore] he got a lot of credit for the performance of his team that he really didn't deserve."

For days they were banging on pots and shooting off muskets to exorcise the ghost. Jesse Jackson weighed in, cartoonists fitted Limbaugh with a pointed Klan hood, ESPN issued a hima culpa (Latin for "It was his fault"). Maybe Limbaugh was wrong about McNabb. Eagles fans may discuss among themselves. But he was not wrong to identify the race-consciousness of the NFL. The Detroit Lions have been fined

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What's On The Minds of America's Leading Conservatives?

Popular conservative authors pictured (left to right) Dinesh D'Souza, G. Gordon Liddy, Robert Bork, Ann Coulter, Sean Hannity, Michael Savage, William F. Buckley, William J. Bennett

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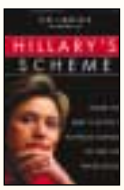

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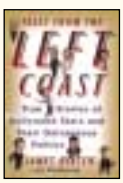

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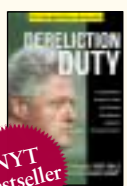

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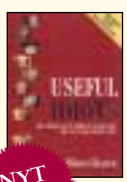

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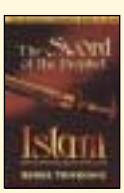

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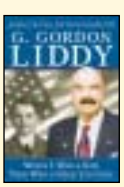

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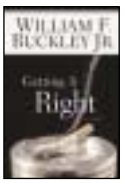

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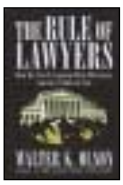

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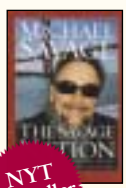

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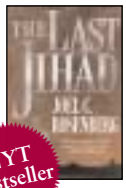

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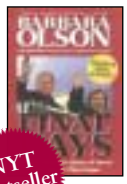

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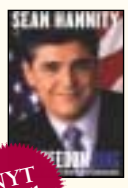

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$200,000 for not interviewing black candidates for head coach. McNabb's agent raised race as an issue in a contract negotiation with the Eagles a few years ago. When conservatives identify policies that divide people by race, they become "racially divisive."

All this paled when the *National Enquirer* revealed, and other media outlets confirmed, that Limbaugh had fallen into the purview of an investigation into a massive drug ring. A former housekeeper told the *Enquirer* that she had supplied her boss with prescription painkillers for four years, to which he had become addicted.

Limbaugh will have his side to the story, which he has not yet, at press time, told. What can be said is that painkillers are enormously seductive, especially for people in high-stress jobs (witness JFK). Rush will afford his many admirers the candor that is typical of him. They will listen to his words with charity and justice, and pray that he will continue to thrive.

notes & asides

■ *Toast to John Kenneth and Catherine Galbraith, Mount Auburn Hospital Benefit, Royal Sonesta Hotel, Cambridge, Mass., September 24, 2003*

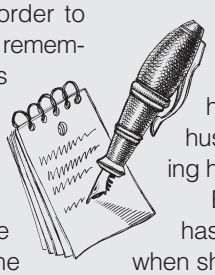
Ladies and gentlemen and fans of the Mount Auburn Hospital:

I have been given two minutes to recite my feelings about John Kenneth and Catherine Galbraith and the hospital that sustains them in life and health and earns our gratitude. Two minutes. That is a strict instruction on the matter of the allocation of time. Professor Galbraith has always loved the whole idea of controls, including wage and price controls, and he is still more or less at it, regulating others' activity. The only way I could protest his edict would be to speak for twenty minutes, seeking to demonstrate that such controls do not necessarily work and sometimes run into First Amendment protections.

But to do such a thing would ruin his evening, because he is deeply convinced that wage and price controls did work for him in the war years. He was profoundly happy having the responsibility of deciding every morning what would be the price of turnips sold that afternoon. He threatens to write an essay on the subject, which I have threatened to publish.

Professor Galbraith and I have several delights and afflictions in common. We are both very deaf, and we are both captivated by his prose style. I admire also his eclectic capacity for friendship. We drove together, a few years ago, with Kitty and my wife, Pat, from his summer place in Vermont a hundred miles to Milton Friedman's summer place in Vermont. Professor Friedman discoursed on the myopia of professional economists, citing his own case. Here he was, sitting on his porch, looking out on the hillside. Beginning only two hundred yards away lay the land of the sovereign state of New Hampshire, where he could just as easily have built his house—and cut his taxes in half.

Some weeks later Mr. Galbraith was elected president of the American Economic Association, serving in that role as successor to Milton Friedman. And indeed, during that period, Galbraith and Friedman each had thirteen weeks on television in order to deplore the other's thinking. I remember marveling at Galbraith's recounting of what it was like to work for PBS for a thirteen-hour series. Inasmuch as his image appeared on screen from many different cities in the world, it was required, for the sake of theatrical credibility, whether he was speaking to us from New Delhi, or Peking, or Moscow, that he appear to the viewer exactly as he had appeared only two seconds ago when the New York City skyline framed him. This trompe l'oeil required him to bring along six identical suits and ties, and to transport his own barber, so that his hair should always be identically cut. They were riproaring serials, which could not have been financed from New Hampshire tax revenues.



But then Mr. Galbraith has had a riproaring career, most recently memorialized by a huge sixteen-foot marble statue commemorating his life and achievements, constructed within sight of the farmhouse he grew up in, in Iona Station, Ontario. He once told an audience in Cleveland, which we were both confronting, that it was in that city that he had declared his intention of seeking U.S. citizenship for the first time, arriving in Cleveland on the ferry from Ontario. I think I ventured, on that occasion, to inform the audience that the passage of Mr. Galbraith from Canada to the United States, which new fatherland he proceeded to colonize, may have been the greatest economic catastrophe since the Depression.

We are here also to honor Kitty Galbraith, to whom this hospital has so recently ministered, so generously and resourcefully. It is too easy to assume that nothing in the way of the restoration of health could be needed by a great lady who has managed to live with her husband for sixty-six years, proving herself ipso facto imperishable.

But I know at first hand that she has sometimes needed care, as when she was carried from the mountain we both frequent in Gstaad to the hospital in Saanen, where her devoted husband looked after her day after day for a week, even as, now, they look after one another with reciprocal devotion, stimulating that affection and reverence we feel for them both, expressed so appropriately in a tribute to the hospital that has given them such splendid care.

I have run over my time by twenty-five seconds. Well, we can just clip twenty-five seconds away from Arthur Schlesinger. Nobody will notice.

—WFB

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Governor!

The weird and improbable event that is Arnold Schwarzenegger's election

STEVEN F. HAYWARD

GOVERNOR SCHWARZENEGGER, it is. Despite the groping stories of the last five days of the campaign, the closing scenes of the Arnold bus tour were a celebrity frenzy that even Ben and J-Lo couldn't match. The bus tour was a masterstroke. Every political reporter in America wanted to be part of that caravan, which made John McCain's faux-bohemian "Straight Talk Express" of 2000 seem decidedly off-Broadway by comparison. Politicians and their campaign managers blithely talk of creating a bandwagon effect. Arnold generated a steamroller, culminating in the largest political rally in years at the capitol in Sacramento on the Sunday before Election Day.

Mr. Hayward is a resident scholar at the American Enterprise Institute in Washington, and senior fellow at the Pacific Research Institute in San Francisco.

The recall effort has roused California Republicans out of their despondency. Over the last several months, about 400,000 net new voters have been registered, with Republican registrations outpacing Democratic registrations by about 40,000. Latino voting registration barely budged. Democrats will emerge from this episode dispirited, divided, and full of recriminations. Leading Democrats have never liked the arrogant Gray Davis, who in the 1992 Democratic primary for the U.S. Senate ran a vicious TV spot comparing Dianne Feinstein to Leona Helmsley. This is one reason that California attorney general Bill Lockyer, who can be a nasty piece of work himself, publicly admonished Davis several weeks before the recall election about not resorting to "puke" politics. Lockyer's comment proved helpful to Arnold in fending off Gropegate.

Why, many Democrats will ask, did we stick with such a loser? DNC chairman Terry McAuliffe looked stricken at his late California appearances with Davis. Hillary's promised visit never occurred (no one in the media asked why), and Bill headed for the tall grass after one perfunctory visit with Davis to a black church. In contrast to Arnold's extravaganza at the capitol, Davis's last public rally in San Francisco required shipping in 900 out-of-state unionized firemen to help fill out a crowd. Cruz Bustamante, meanwhile, myopically ended his campaign in the barrios of East L.A. and San Francisco, rather than in the vote-rich suburbs where he was weakest.

Between recriminations, Democrats are likely to deepen their paranoid grudges about Republican election stealing, and fall further into a rage. (Sample: Bob Mulholland—spokesman of the California Democratic party—said the following about Arnold's closing rally: "He doesn't draw as big a crowd as Hitler did.") The big question is whether Democratic apparatchiks like Gloria Allred will try to find their equivalent of Paula Jones to bring a civil suit for sexual harassment against Arnold as a means of keeping Gropegate alive, perhaps even eroding Arnold's position to the point that a revenge recall drive could be started a year from now. Given the sheer number of allegations against Schwarzenegger, he could face a class-action suit. It sounds far-fetched, but so did the Davis recall six months ago.

While a recall win will energize California Republicans, it will not resolve the long-standing feud within the party between moderates and conservatives. After the glow of victory dies down, the infighting is likely to intensify. The centrist Pete Wilson wing of the party that is now clustered around Arnold will say that his victory is proof that only Republican moderates can succeed in statewide races. How this new chapter in an old fight unfolds centers on the future of Tom McClintock. McClintock acquitted himself well in the recall race, impressing independent voters and the media with his forthrightness, consistency, and seriousness. He has won a national following. He was also careful in his criticisms of Arnold, limiting them (with one or two mostly unnoticed exceptions) to disagreements about substance.

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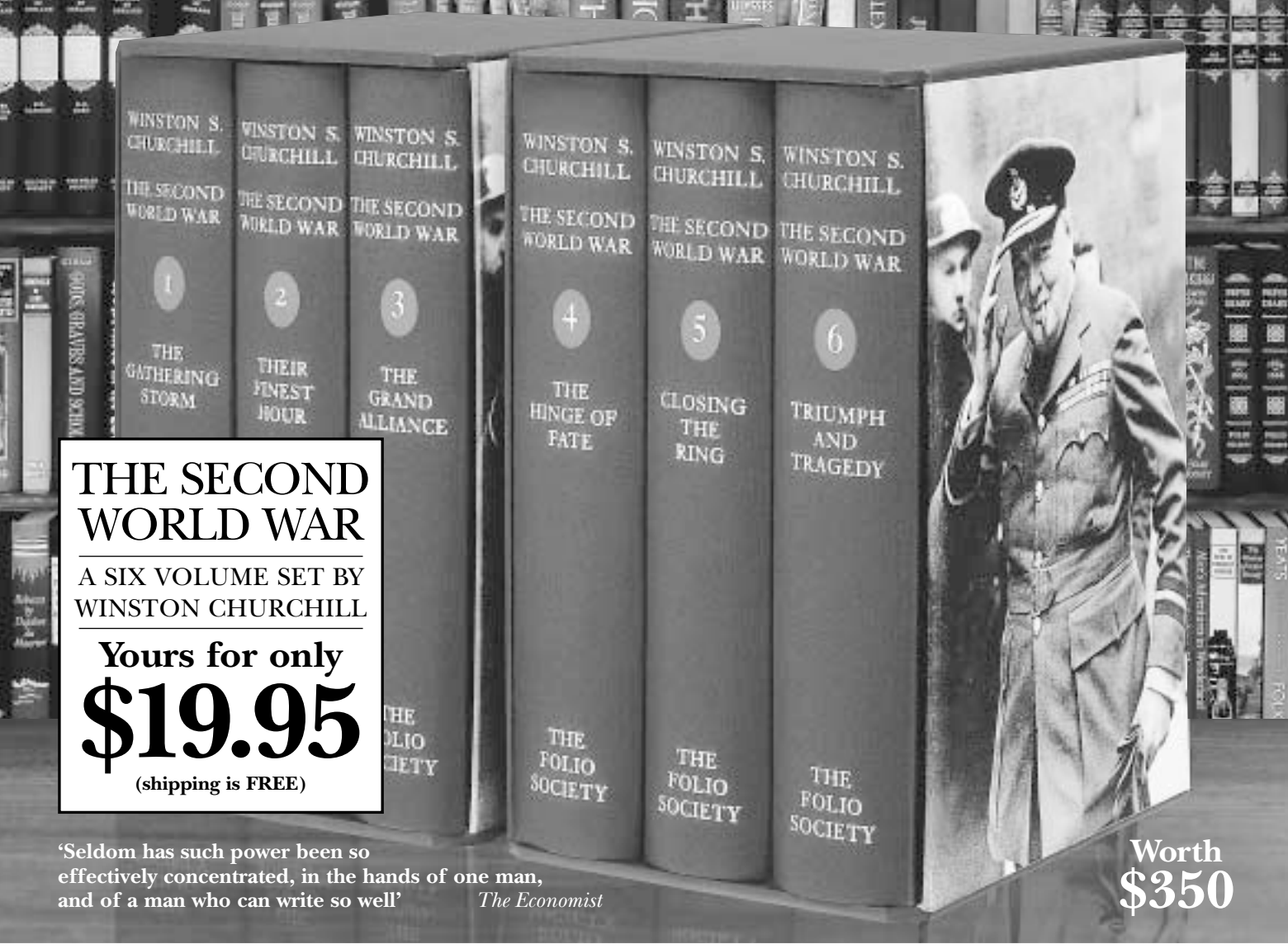

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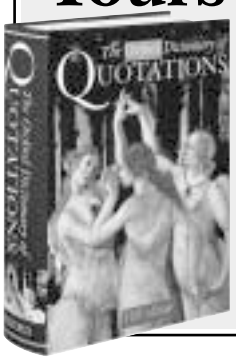

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There is talk now of McClintock's challenging Sen. Barbara Boxer next year. The Democratic attack machine would paste McClintock with the pejorative label "social conservative," as the Democrats' media echo chamber did throughout the entire recall campaign. While McClintock is a social conservative, social issues have never been the trademark of his long career. (In fact, during an acrimonious Assembly debate on gay rights a decade ago, McClintock moved to cut off the speech of a fellow Republican who was offering graphic details of the gay lifestyle; he thought it beneath the dignity of the legislature to debate the issue in such a way.) He has always been, first and foremost, a fiscal conservative. McClintock would match up very well against Boxer, especially in a debate, which she would likely try to duck.

Will the GOP establishment back McClintock, or repair behind the "only-moderates-can-win" mantra? McClintock, keep in mind, came within a whisker of winning the state controller's office last year, running 100,000 votes ahead of Bill Simon, and without any help from the state GOP. There was another real-world test of this hypothesis in 1992, when, owing to a special election to fill out the remainder of Governor Wilson's U.S. Senate term, there were two Senate races on the ballot in November. Wilson's handpicked moderate candidate, John Seymour, got crushed by Feinstein, while Boxer only narrowly defeated conservative Bruce Herschensohn.

Which brings us, in a roundabout way, to Gropegate. It is worth recalling that Herschensohn was undone the weekend before the 1992 election by a report that he frequented a topless bar near his residence. Bob Mulholland had shadowed Herschensohn and broke the story, which is why everyone suspects Mulholland is behind the scenes of Arnold's Gropegate. While such credible charges would be the ruin of most Republican politicians, a Hollywood celebrity enjoys an entertainment-industry discount with many voters on this score. The fact that the attack was anticipated also mitigated its effect—Mickey Kaus and others said the story would drop the Thursday before the election, and like clockwork, the *Los Angeles Times* complied. But above all the lingering shadow of Bill Clinton offers additional immunity to Arnold. (David Letterman joked that Arnold's groping clearly makes him presidential material.) Here we have more evidence—as if more were needed—of the hypocrisy of feminism. A number of feminists forthrightly excused Clinton on the grounds that he was "good" on women's issues. Arnold's views on abortion and gay rights are nearly indistinguishable from Clinton's, yet still the feminists beat their un-groped breasts that Arnold is unacceptable.

Beyond the two-party aspects of the recall, several other features of the saga are worth noting. While the *L.A. Times* and *Sacramento Bee* disgraced themselves further with their party-line reporting, two new journalistic stars emerged: freelancer Jill Stewart and *Bee* blogger Dan Weintraub. Both distinguished themselves for truly independent and unbiased reporting. Weintraub ran afoul of political correctness in the *Bee* editorial suites, and is now required to have his blog approved before posting. Among other scoops, Stewart blew the whistle on the *L.A. Times*'s refusal to use anonymous sources to report on the seamy side of Davis, but had no such scruples about using anonymous sources to sully Arnold. Both Stewart and Weintraub will be heard from again.

Perhaps Stewart and Weintraub will follow up on Davis after he leaves office. Davis's aides have been lining up vendors to shred files from the governor's office, rather than shipping them to an archive as most departing governors do. Ask almost any lobbyist in Sacramento, and they will tell you that a serious investigation into Davis would surely yield multiple indictments for corruption.

What next for Arnold? In the 1993 hit movie *Demolition Man*, Sylvester Stallone is awakened from a cryogenic sleep 36 years in the future, where, driving down an L.A. street, he is amazed to see the "Arnold Schwarzenegger Presidential Library." Sly's co-star Sandra Bullock explains: "He got so popular we amended the Constitution so he could be elected president." What was clearly meant as an inside joke between action-hero movie stars doesn't seem entirely out of the question now. **NR**

■ THE NATION

Lagging Indicator

Unemployment is not the big deal in politics it used to be

RAMESH PONNURU

In early September, Sen. Robert Bennett of Utah was briefing his Republican colleagues about the economy. Bennett, the party's chief deputy whip in the Senate and the chairman of the Joint Economic Committee, said that the stock market was doing well. Sen. George Voinovich, a Republican from Ohio, didn't buy the happy talk. According to columnist Robert Novak, Voinovich told Bennett, "I don't give a damn about the stock market. But I do care about jobs."

Both political parties seem to share the conviction that for voters, the economic number that counts is the unemployment rate. Consider the contrast that Democratic congressman Robert Menendez drew when President Bush called for tax cuts at the start of the year: "We stimulate the job market. The president's plan stimulates the stock market." Democrats are chortling—chortling gravely, as one must in politics—that 2.7 million Americans have lost their jobs since Bush took office. Mark Warner, the Democratic governor of Virginia, said in August that "this nation is on track for the worst job-creation record since the Great Depression. No president since Herbert Hoover 70 years ago has actually lost jobs over the course of his term."

Republicans have been scrambling to come up with initiatives to "create jobs," or at least to repackage old ideas as jobs initiatives. They have placed a special emphasis on the manufacturing sector, where 94 percent of the job losses over the last three years have occurred. On Labor Day, Bush promised that an undersecretary of commerce would spend all his time working to keep manufacturing employment high. The *Washington Post*

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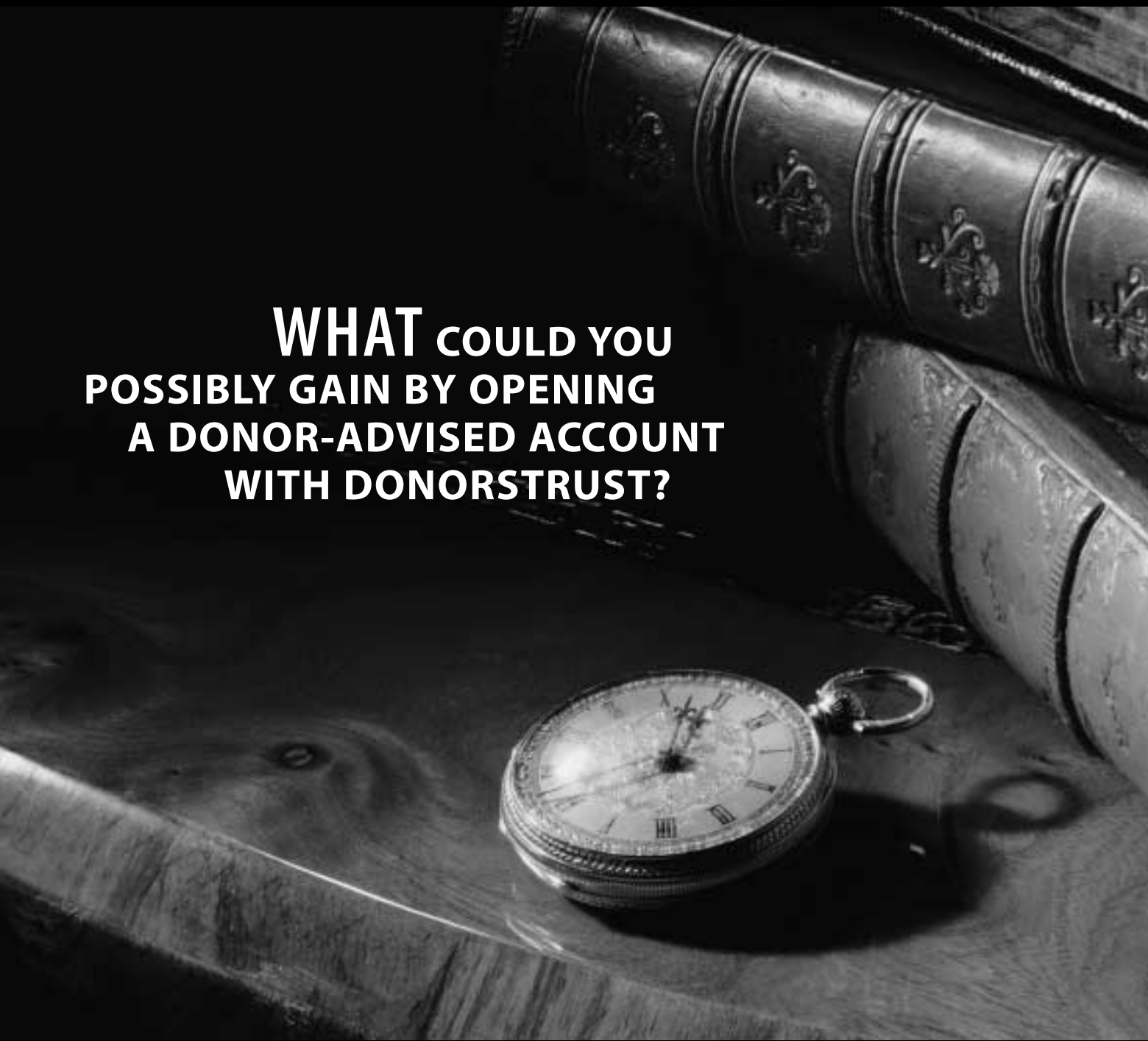

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reported that "his remarks served as an acknowledgment that unemployment is a potential political liability" as his re-election campaign begins. Since then, Treasury secretary John Snow has been trying to get China to devalue its currency so as to help American manufacturers. Senate Republicans have tried to sell their ideas on tort reform, energy, and the like as a "jobs agenda." The Bush administration has considered eliminating its steel tariffs, which have raised costs for manufacturers.

Manufacturing unemployment seems to have caused Republicans to lose ground in Michigan, Ohio, and Illinois. "I would say that a majority of the conference is marginally to pretty freaked out," says a Republican Senate aide.

Republicans wishing to cheer themselves up can tell themselves four stories about unemployment: It will get better, it's not so bad, it won't be blamed on them, and it doesn't matter that much anyway. There is some truth to each assertion.

The prevailing Republican hope is, of course, that unemployment will go down in time to affect the elections. Every sign of a robust economic recovery heartens the GOP. Well, almost every sign. People are beginning to worry that productivity could, paradoxically, be rising too fast. The fear is that if companies can produce 6.8 percent more goods without hiring anyone, then the economy will have to grow at a 7 percent rate or higher before new hires are made. We could thus have a "jobless recovery" or even a "job-loss recovery."

Most people think that jobs will, in fact, be created over the next year and that the unemployment rate will go down. But it's unlikely that so many jobs will be created that President Bush will be able to say that the total number of jobs has increased on his watch. Mark Warner's taunt will still be accurate: He will be the first president to have seen net job losses during his term since Hoover. That charge will sting.

On the other hand, Warner's comparison to the Great Depression is almost laughable in its lack of perspective. At the end of Hoover's first term, a quarter of the workforce was out of a job. A 6.1 percent unemployment rate doesn't come close to that level of suffering. Indeed, a few years ago it would not have looked bad at all. Until the mid 1990s, many economists believed that the "natural" unemployment rate was between 5 and 6 percent, and that any attempt to drive it down further would ignite inflation. The unemployment rate in 1992, following the last recession, was 7.5 percent. It was still 6.1 percent in 1994, and nobody thought that we were mired in a Depression then.

Has unemployment made voters, even employed ones, more worried? A recent Gallup poll found that 19 percent of Americans feared that they would lose their jobs during the next year. The statistic looks alarming, until you see that in 1997—one of the best years for the economy ever—20 percent of Americans felt the same way. But the historical averages may be misleading. The experience of the late 1990s probably reduced the level of unemployment that Americans are prepared to accept as normal.

That doesn't mean the public will blame Bush and his party for unemployment. So far, the president has not been held responsible for economic weakness. He has gotten the benefit of the doubt for a number of reasons, including September 11, his own likeability, and the perception that he is trying to do something to help. Some polls indicate that his luck may be ending.

Republicans are still trying to explain that Bush inherited economic problems. The recession may have officially begun in March 2001, right after he took office. But, they point out, the manufacturing job losses started in mid 2000, under Clinton. The NASDAQ had lost 45 percent of its value before Bush was inaugurated. This is bound to be a losing argument for Republicans. Even if the public decides that Bush isn't responsible for starting the job losses, it will still judge Bush on how well he has responded to them.

There is, however, a final possibility that can work in Bush's favor: the possibility that, for political purposes, the unemployment rate just doesn't matter all that much. There are three reasons for thinking that.

The first comes from the econometric models for predicting elections. Yale economist Ray Fair devised the most cited of these. After the 2000 election, the models were widely ridiculed. But in fact Fair's model predicted the two parties' shares of their combined vote pretty well. Fair thought that Gore would win 50.8 percent of the two-party vote, and he got 50.3 percent. Fair's model takes into account economic growth, inflation, and incumbency. The equation leaves out unemployment rates, because Fair has not found them to be useful in predicting election results. Fair's latest calculation, incidentally, has Bush winning comfortably next year. The other leading models, as columnist Alan Reynolds pointed out, also ignore unemployment.

The second piece of evidence is that unemployment has rarely turned recent elections. Michael Barone, the journalist and co-author of *The Almanac of American Politics*, argues that what did in the first President Bush in 1992 was not so much unemployment as declining housing values.

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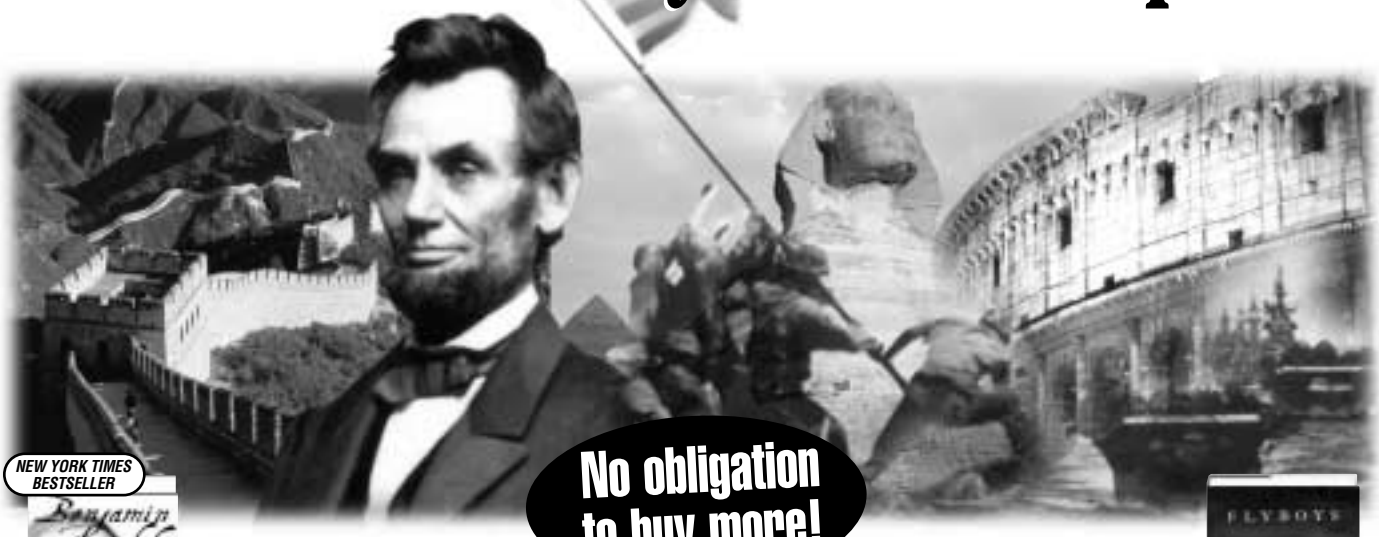

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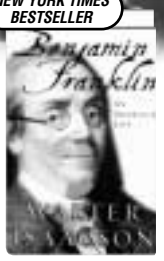

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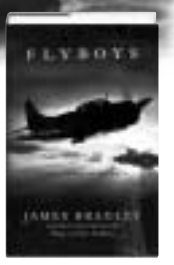

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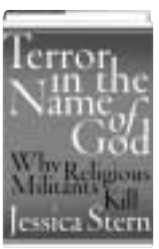

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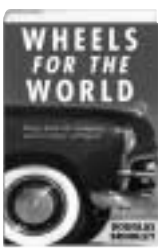

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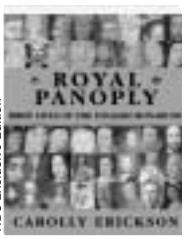

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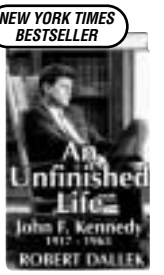

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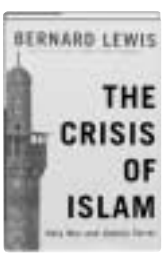

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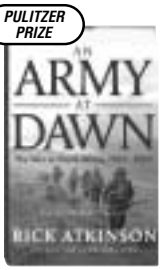

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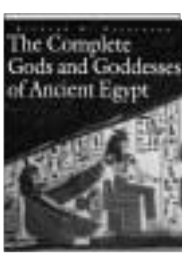

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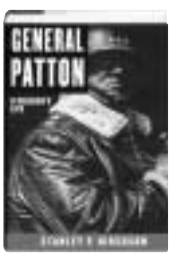

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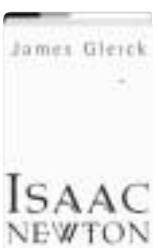

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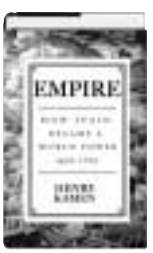

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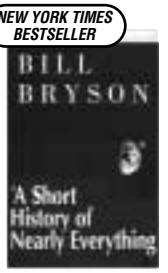

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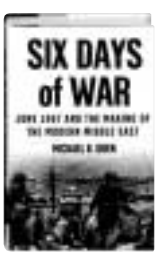

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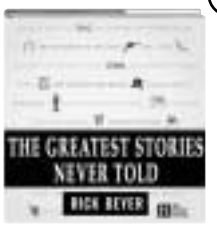

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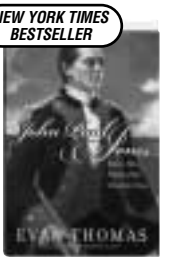

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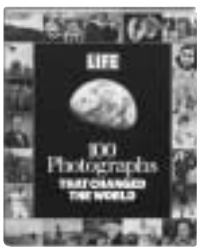

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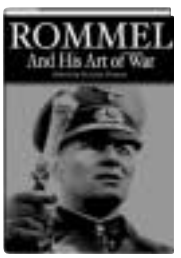

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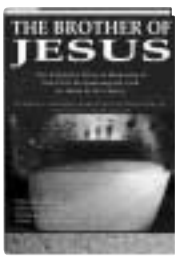

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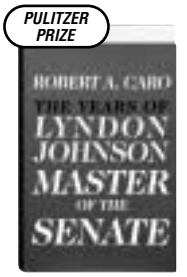

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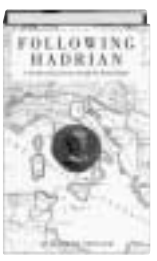

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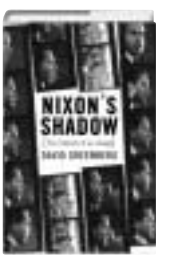

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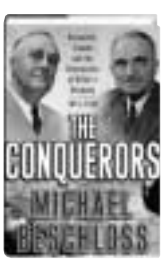

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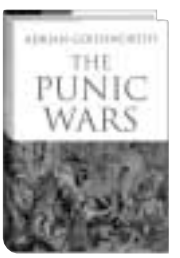

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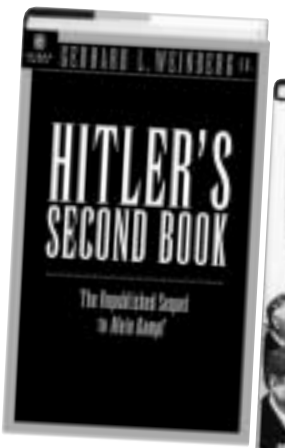

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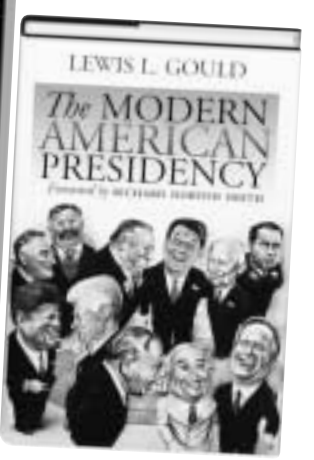

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tion in which unemployment—then at a whopping 13 percent—turned the election. And even then the story is not clear. Republicans lost 26 seats in the House that year. But 15 of those were lost to redistricting. Also, Republicans had raised taxes that year, and Social Security was a major issue. The case that unemployment has decided the outcome of a national election in the last generation turns out to be surprisingly weak.

Third, one would expect unemployment to matter less, as voters have become increasingly involved in capital markets. Pollsters say that when people think about the economy, they think about the unemployment rate long before they think about GDP growth or the stock market. But do people vote on "the economy," or on their economic circumstances? If it's the latter, they may be thinking less than they did in the past about each paycheck they make—and more about their long-term project of accumulating wealth. For most Americans, this recession has been a matter of lost stock-market wealth rather than lost jobs. If the markets continue to go up, they may feel better whatever the unemployment rate is.

Increased participation in capital markets has also led to increased sophistication about how economies work. There is "a new maturity" about economic matters, says a White House official, and it includes "an understanding that government doesn't create wealth" and that government officials are not responsible for each uptick and downtick in the unemployment numbers. The official speculates that Bush's numbers have held up pretty well in part because of this maturity.

Unemployment is no fun for the people involved, including the families of unemployed people. It's not good for the economy, either, although in just what ways it hurts the economy can be debated. It would be a very bad idea for the president, or any other politician, to appear to be indifferent to the plight of the unemployed. But a 6 percent unemployment rate—and even "the worst jobs record since Hoover"—is unlikely to prove fatal to the president's re-election. A bull market and strong growth will probably do more good for Bush next year than a drop in the unemployment rate. **NR**

THE MEDIA

Liberal Radio and Its Dark Angel

Meet the amazing Sheldon Drobny

BYRON YORK

"EVERYTHING is going very well," says Sheldon Drobny of his new project, the much-publicized move to create a liberal talk-radio network. "We're moving along toward being on the air in early January. In fact, we're going to be on the air in a very big way."

Drobny is a multi-millionaire venture capitalist in Chicago. Along with his wife Anita, he has put $10 million into what the *New York Times* has called "the most ambitious undertaking yet to come from liberal Democrats who believe they are overshadowed in the political propaganda wars by conservative radio and television personalities." To run the network, the Drobnys created a company called AnShell Media, and they have spent the last several months looking for investors willing to put more money into the venture.

"I'm a devoted capitalist," Drobny says. "The fact is, there is an audience out there. If you have a consistent message on a network which has 14 to 16 hours a day programming, you will get an audience equal to what Rush Limbaugh has."

Drobny declined to comment on who will appear on the network, but it's well known that his top talent choice is the conservative-bashing comedian Al Franken. It appears that the two sides have not yet come to terms, but in August, Franken told the liberal web magazine *Salon* that "there's been progress, and chances are growing that this will happen and I'll be a part of it."

Many liberals look to Drobny as a leader in the movement to "fight back" against what they contend is conservative media bias. Indeed, both Drobnys have been virtually canonized by some liberal commentators. "Mr. and Mrs. Drobny, I salute you, you're wonderful," *Newsweek*'s Anna Quindlen wrote in July. The Drobnys, she added, "are my kind of folks" (although Quindlen doubted liberals would be able to master "the technique of disdain, derogation and dismissal" that she said characterized conservative talk radio).

But there is another side to Sheldon Drobny, one that has not been included in the news accounts of the talk-radio project. In addition to his businesses and philanthropies (he has given large sums of money to hospitals, universities, and Jewish causes), Drobny enjoys writing. He writes an occasional column for a small website called MakeThemAccountable.com, and in it he has aligned himself with the wilder-eyed extremes of the Bush-hating Left.

For example, Drobny has written that he sees similarities between President Bush's decision to go to war in Iraq and the pre–World War II strategy of Adolf Hitler. "The corporate masters and their current spokesman, George W. Bush . . . use exactly the same excuses Hitler used to sell to the public his maniacal desire to conquer Europe," Drobny wrote earlier this year. Those corporate masters, he explained, included General Electric, News Corporation, and the conservative philanthropist Richard Mellon Scaife, a group that "essentially dictate[s] what the government does" in a process Drobny called "quasi-fascist."

Drobny has also worried that Americans do not understand the Bush family's extensive links to the Nazis. "Very few Americans know that Prescott Bush, our president's grandfather, supplied Nazi Germany with [support for its rearmament]," he wrote on MakeThemAccountable.com. "The information is documented, but is not known by most Americans because, as in any successful fascist regime, the press is prevented from publishing it."

In response to an e-mail inquiry about his writings, Drobny sent as documentation a chapter from a 1991 book, *George*

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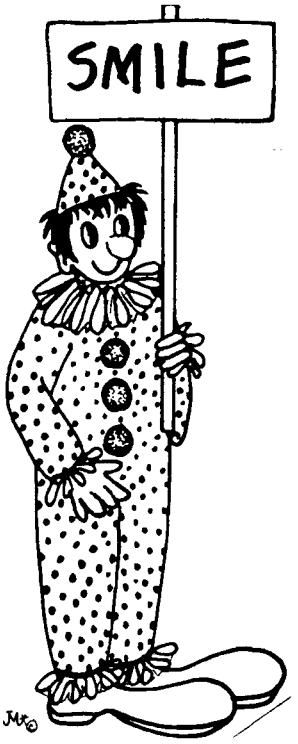
CATHOLIC LITURGY:
Schlock & No Awe

In many Catholic parishes today, the sense of awe — of majesty and mystery — has largely been banished. The incense, sanctus bell, votive candles, and Communion rail are gone. The Tabernacle with the reserved Sacrament — having been replaced by the Presider's Chair or a bouquet of twigs — can't be found. Statues of the saints are locked in the basement, replaced by balloons, banners with greeting-card sentiments, and other dime-store decorations. The organ gathers cobwebs. And the crucifix has been taken down, replaced by a rainbow flag.

It's virtually impossible to pray before or after Mass because of all the chatter and backslapping. The Creed is left unsaid. Schlockmeister-homilists pander with feel-good bubblies and lame jokes. The words of the readings and liturgy are gender-bended (but don't you dare bend your knee for the Eucharistic Prayer!). The sanctuary has become a stage, and we must clap, clap, clap for the liturgical dancers, the clowns, the band, and Ms. Cantor with her conga drums — we aren't making a joyful noise unto the Lord, but only unto the (amateurish) entertainers.



In many parishes the primary purpose of the Mass has been transformed from receiving Christ and worshiping the Almighty into "celebrating community" — i.e., celebrating our wonderful selves. One so-called liturgical expert, the now-disgraced Archbishop Weakland, has said the Mass shouldn't convey "a feeling of infinity or eternity or the world beyond," for it's really about "communal sensitivity" among parishioners. But touchie-feelie Catholicism — where, at the Sign of Peace, the band breaks into lounge music for ten minutes of hugging and laughing — has no power or magnetism. Not many people get out of bed on Sunday morning in search of huggies and gigglies.

No wonder church attendance among Catholics has dropped by over half since the liturgical trivialities began. And today most Catholics don't believe in the Real Presence of Christ in the Eucharist — which isn't surprising, given that *how* we worship has a profound effect on *what* we believe about the meaning of the Mass.

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Bush: The Unauthorized Biography, by Webster G. Tarpley and Anton Chaitkin. The authors argue that Prescott Bush got rich helping finance the Third Reich, and the money he made became the core of the Bush family's wealth. "For his part in the Hitler revolution, Prescott Bush was paid a fortune," Tarpley and Chaitkin write. "This is the legacy he left to his son, President George Bush." And of course, the first President Bush is leaving that legacy to his son, President George W. Bush.

That particular chapter of Tarpley and Chaitkin's book—entitled "The Hitler Project"—has been cited on popular left-wing websites, such as Buzzflash.com and Bartcop.com. But Tarpley and Chaitkin are not in the mainstream of opposition to the president. Both men are longtime associates of the fringe political figure Lyndon LaRouche, and *George Bush: The Unauthorized Biography* was published by a LaRouche organization called Executive Intelligence Review. The same press has also published titles like "George Bush and the 12333 Serial Murder Ring"—an attempt to link the former president and former British prime minister Margaret Thatcher to the 1986 murder of Swedish prime minister Olof Palme—and "Would a President Bob Dole Prosecute Drug Super-Kingpin George Bush?"

Tarpley and Chaitkin's book received no notice in the press, but their charges were repeated a few years later in another book, *The Secret War Against the Jews*, by authors John Loftus and Mark Aarons. Commenting on that book in 1995, Anti-Defamation League director Abraham Foxman called it "so exaggerated, so scantily documented, so overwrought and convoluted in its presentation, that Loftus and Aarons render laughable their claim to offer 'a glimpse of the world as it really is.'"

Nevertheless, Drobny takes the alleged Bush/Nazi connection very seriously. "If Prescott Bush built his family's wealth on the backs of slave labor and the Nazi regime, what responsibility does the Bush family have to own up to that?" Drobny asks. "I don't suggest that I blame him for his grandfather's sins, but I do suggest that if a family has built wealth on the backs of slave labor, what is their responsibility?"

Drobny wants to emphasize that his comparison of George W. Bush to Hitler is quite specific and limited. "I wasn't comparing Bush to Hitler on the racism side," he explains. "I don't believe George Bush is a racist or has or will ever have genocidal beliefs. What I'm talking about is fascism."

Still, since Drobny is the guiding force and the main financial backer of the new liberal talk-radio network, the question arises: Would these ideas be a good subject for the new network? "I'm not suggesting that at all," says Drobny. "As a venture capitalist, I'm not the one who does the programming, nor would I interject my own opinion into programming."

Al Franken and Mike Malloy: Drobny-bound?

FRANKEN: JAMES LEYNSE/CORBIS MALLOY: AMERICA RADIO NETWORK

But what would such programming be? Beyond Al Franken, there have been few names mentioned as potential hosts on the new network. One name that has been discussed is that of Mike Malloy, a former talk-show host on WLS radio in Chicago and WSB radio in Atlanta. A May 13 article in *Salon* entitled "Where's the liberal Rush Limbaugh?" asked the question: "Mike Malloy's left-wing rants have gotten him bounced from major radio markets. Could he draw an audience of millions if he got the chance?"

Having been fired in Chicago and Atlanta—not an unusual fate in the radio business—Malloy now broadcasts on something called the i.e.America Radio Network, which is a full-time, if little-known, liberal talk-show network owned by the United Auto Workers.

Each of Malloy's programs has a topic, and some recent topics include: "Is It Time for the Bastard's Impeachment?" (Malloy liked the topic so much he devoted three programs to it), "What's Your Life Worth to the Bush Crime Family?," "The Scum Who Heads the Justice Department," and "The Bastards Continue To Lie."

Is such fare too rough-edged for a mass audience? "I don't think so," says Malloy. "Just go back to the '90s, with 'The Clinton Chronicles,' Hillary is a lesbian, Bill and Hillary are drug dealers, Bill and Hillary left a trail of bodies. You have a talk radio that has been breastfed on 'Hillary and Bill are murderers' and radicalized by a thug like Rush Limbaugh, with the crumbs swept up by a junior thug like Sean Hannity—and then somebody wants to ask me if I'm being a little bit strong in saying that John Ashcroft and the Patriot Act are totally, totally destroying constitutional government in this country?"

Malloy is highly thought of at AnShell Media. "I love Mike Malloy," says Drobny, who listened to him on the radio in Chicago. "I think he's a great entertainer. You'll love him or you'll hate him." Malloy is also influential in the company; AnShell's new CEO, a veteran radio executive named Jon Sinton, reportedly got his job in part on Malloy's recommendation.

While there remain many questions about how the new network will take shape, it seems clear from the Malloy association that organizers favor very hard-hitting stuff. Whether the network will earn much credibility is another matter, especially if some of Drobny's writings become well known.

And if the network succeeds, Drobny will likely become a more familiar figure, and, perhaps, a more controversial one. In the 1990s, conservatives came under heavy criticism for relying on funding from the foundation run by Richard Mellon Scaife. Liberal commentators routinely portrayed Scaife as a right-wing zillionaire who harbored dark visions about the evil nature of his political adversaries. Now, it is a zillionaire on the left—the guiding force behind liberalism's premier outreach effort—who harbors dark visions about the evil nature of his political adversaries. And that is the face of liberal talk radio. **NR**

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AT WAR

The Chaplain Problem

What gives with imams (and others) in the military?

KATE O'BEIRNE

Abdurahman Alamoudi presented the first imam in the United States Armed Forces with the military's newest insignia, a silver crescent moon, at Army captain Abdul Muhammad's commissioning service in 1993. The American Muslim Foundation—established by Alamoudi—had created the American Muslim Armed Forces and Veterans Affairs Council in 1991 to "certify Muslim chaplains hired by the military," and the Pentagon recently confirmed that until 1998, he served in a non-salaried position, nominating and screening candidates to be Muslim chaplains in the Army, Navy, and Air Force.

Alamoudi could afford to donate his services to the military. Long suspected of having terrorist ties, Alamoudi, a native of Eritrea who became a naturalized U.S. citizen in 1996, was arrested at Dulles airport on September 28 and charged with illegally accepting money from Libya—six weeks after British authorities caught him trying to smuggle $340,000 into Syria. While Alamoudi was on his most recent travels—using his Yemeni passport—to Great Britain, Lebanon, Syria, Egypt, and Libya, Captain James "Yousef" Yee, one of the Muslim chaplains his council recommended to the Army, was detained on suspicion that he engaged in espionage at Guantanamo Bay.

While the military tracks down terrorists halfway around the world, little attention has been paid to the suspects in its own ranks who should have raised red flags. There are twelve Muslim chaplains on active duty, ministering to about 4,200 Muslims in the armed services. Despite the recent arrest, the Pentagon defends its hiring practices by officially stating that it is not conducting any review of its chaplaincy-appointment policy as a result of Captain Yee's detention. A Pentagon spokesman confirms that there is a review in progress, undertaken a year ago, designed to assess the requirements for *all* 2,800 chaplains—priests, rabbis, etc.—on active duty in order to "simplify administrative procedures." In the case of Islam, the Pentagon empowers two institutions to certify chaplains: the Islamic Society of North America and the council founded by Alamoudi. Both groups receive funding from Saudi Arabia, and federal officials believe both have terrorist ties, now apparently confirmed in the case of Alamoudi's outfit.

As chairman of the Senate Judiciary Subcommittee on Terrorism, Technology, and Homeland Security, Republican senator Jon Kyl of Arizona has held hearings on Saudi financing of the efforts of the radical Wahhabi sect to recruit terrorists in the United States. "It is remarkable that people who have known connections to terrorism are the only people to approve these chaplains," he says, calling the Pentagon's review of all its chaplains "the height of politically correct stupidity." On October 14, he plans to hold hearings to try to learn what the Pentagon appears uninterested in knowing. "We need to find out if there are systematic efforts by Wahhabists allied with al-Qaeda to dominate the cleric-selection process of not only the U.S. military, but also the U.S. Bureau of Prisons, preaching jihad to disaffected Americans. [This issue] requires thorough examination."

Captain Yee, who has not been charged, was allegedly found with a laptop containing diagrams of the facilities at the detention base, along with lists of prisoners' names and the names of CIA, FBI, and military personnel conducting interrogations. Yee is a 1990 West Point graduate who rejoined the Army as a chaplain after converting to Islam and spending four years studying in Syria. In addition to Captain Yee, two others who were assisting with the interrogation of 660 enemy detainees at Guantanamo Bay have been arrested.

One is Senior Airman Ahmad I. al-Halabi, a native of Syria who came to the U.S. as a teenager and served as a translator at Guantanamo Bay for nine months; he has been charged with espionage for attempting to pass military secrets to Syria. The information he is alleged to have attempted to share includes flight information on military personnel, as well as the names and cellblock numbers of prisoners and operations orders for their transfer. Al-Halabi was reportedly under investigation by the Air Force Office of Special Investigations while a supply clerk in California, before being assigned to Guantanamo.

For the third arrest, the Customs Service gets the credit. Ahmed Fathy Mehalba, a civilian under contract as an Arabic translator at Guantanamo, was free of any suspicion when he was routinely searched at Logan airport after arriving on a flight from Cairo late last month. He was arrested when officials found a compact disc containing classified documents about the detention camp in his bags. Mehalba joined the Army in 2000 but washed out of a training course for military interrogators. While he was in the Army at Fort Huachuca, his girlfriend there was discharged after a search of her quarters—following her arrest for stealing a car—turned up a stolen laptop computer and classified information about her training. Mehalba was a Boston cab driver when, two days after the 9/11 attacks, he unsuccessfully tried to land a job as a gate guard at Logan airport.

While the apparent infiltration of the most secure military installation in the world has commanded the headlines, those most familiar with terrorist networks see a bigger story. According to Steven Emerson, executive director of the Investigative Project, a leading anti-terrorist watchdog group, "There is a cancer problem in the whole body that only surfaced in Guantanamo Bay." In 1996, Emerson wrote two op-eds for the *Wall Street Journal* sounding the alarm about Abdurahman Alamoudi's meetings with senior White House officials. He detailed the American Muslim Council's "consistent record of support for radical Islamic groups." He called on the Clinton administration "to stop giving aid and comfort to those who have declared themselves America's enemies."

This particular enemy of America, Alamoudi, actually went on to serve as an

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official emissary for Americans: In the late 1990s, the State Department paid him to make six trips as a goodwill ambassador to the Middle East. Five years later, Alamoudi was still a welcome visitor at the White House. In June 2001, he attended a briefing on President Bush's faith-based initiative, and he was invited by the White House to the prayer service at the National Cathedral following the 9/11 attacks.

Emerson is now sounding the alarm about radical Islamists in uniform. A year ago, he put together a presentation about the infiltration of the American military by Islamic militants and briefed senior Pentagon officials. His report stated that "militant Islamic terrorists have used the United States military for training in their preparation for jihad against the West, and as cover for operational support and intelligence gathering." Emerson explained that Islamic fundamentalists were using the military to propagate their ideology and to recruit new members through the military-chaplain programs; he says his concerns were "shrugged off" by the officials he spoke with. In March, Sergeant Hasan Akbar killed two officers in a grenade attack in Kuwait.

A moderate Muslim organization, aligned with Shiite Islam, also claims to have been ignored by the Defense Department. The Universal Muslim Association of America has tried unsuccessfully to be approved to certify Muslim clerics. Its spokesman explains, "The Defense Department should be aware that there are two main forms of Islam [Sunni and Shiite] and that it was only Wahhabism [a branch of Sunnism] that is being represented."

Several years ago, an expert on extremist groups testified to Congress about the threat posed by infiltration of the military. He told the lawmakers that "members of the military are extremely attractive recruits for extremist organizations. Those with specialized training and access to sophisticated weaponry and classified information are especially valuable." He was talking in 1996 about the KKK. A Defense Department directive declared that active participation in white-supremacist groups was incompatible with military service.

Senator Kyl now sees a conspiracy fueled by a different radical ideology—one that it seems the military chooses not to see at all. **NR**

CAMPAIGN '04

Trouble in Miami

If Bush doesn't watch out, he could lose those Cuban-Americans

JOHN J. MILLER

A LITTLE before midnight on July 14, a dozen Cubans with knives in their hands and black stockings on their heads surprised three sentries near the town of Nuevitas. They disarmed the watchmen and boarded the *Gaviota 16*, a boat owned by a mapping agency. Then, in the dark hours of early morning, they raced for open waters. Their destination was Miami—and freedom.

They didn't make it, but the Bush administration is probably wishing they had. That's because what happened next inspired Miami congressman Lincoln Diaz-Balart, a Republican and normally a strong Bush ally, to launch a blistering attack: "This act of infamy in coordination with the Cuban tyranny is a condemnable monstrosity."

Within hours of the boat thieves' departure from Cuban shores, the U.S. Coast Guard had them under surveillance. On July 16, their vessel was stopped more than a hundred miles from Florida. Under an immigration policy nicknamed "wet foot–dry foot," most Cubans caught at sea are returned to Cuba—the sorry fate of more than a thousand people so far this year. Most of those who make it to the United States (and therefore have "dry feet") are allowed to stay.

The Cubans aboard the *Gaviota 16* had wet feet, but that wasn't their biggest problem. Fidel Castro's government insisted they were hijackers. This was not true: They had stolen the boat rather than commandeered it in transit. Yet the Cuban version of events required careful attention. Last April, Castro ordered the execution of three ferryboat hijackers who had sought to reach America but were apprehended by Cuban authorities. The Coast Guard wasn't going to be complicit in new executions, so the people from the *Gaviota 16* waited onboard a cutter with their lives in limbo.

After a short standoff, the Castro regime wrote down an offer: It would prosecute the men, but not punish them with anything harsher than ten years in prison. The Bush administration accepted the deal and returned the Cubans to their native island on July 21. Three weeks later, Cuban judges handed out a series of sentences. The most severe was for that decade behind bars.

The episode wasn't much noticed in Washington, but it was all the rage in Miami's Cuban-American community this summer. And "rage" is the word. Callers lined up on the city's talk-radio stations—the central nervous system of Cuban-American politics—to join Rep. Diaz-Balart in denouncing the decision to negotiate with a despot. Even Florida governor Jeb Bush disapproved of what his brother's administration had done: "It's just not right," he said on August 1.

The controversy might have ended there, except that it unleashed a torrent of criticism from Cuban Americans who think the Bush administration hasn't lived up to expectations. On August 10, a group of Cuban-American state representatives—all of them Republicans—signed a letter to the president informing him of "great disappointment and outrage" over current Cuba policy. Without progress, they wrote, "we fear that historic and intense support from Cuban American voters for Republican federal candidates, including yourself, will be jeopardized." One of the signers, David Rivera, wonders how Bush will motivate his supporters in Miami next year. "We may see much less voter turnout unless these problems are addressed," he says. Cuban-American lawmakers in Florida considered boycotting a Bush fundraiser on October 1 to signal their displeasure; in the end, the group decided that one of them would attend while the others stayed away.

Bush and the GOP should take this emerging threat seriously. There are only about one and a half million Cuban Americans, but most of them live in Florida, where they play a crucial role in determining election outcomes. Following the

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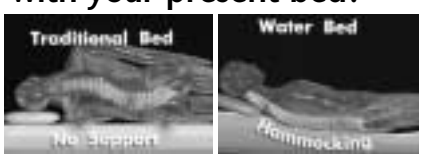
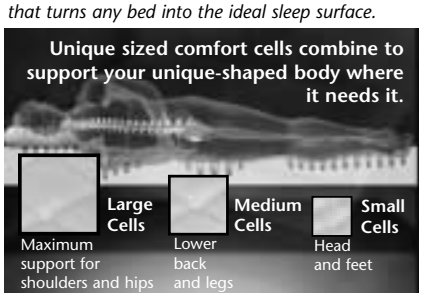


The ideal position is a neutral body posture in which the different parts of the human body are supported individually and evenly. This is the secret behind Memory Foam Ultra, the mattress topper that turns any bed into the ideal sleep surface.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Elian Gonzalez controversy in 2000, when the Clinton administration forcibly returned a refugee boy to Cuba, Bush won about 80 percent of their votes. "This community voted in numbers that make Crawford, Texas, look like enemy territory," says Joe Garcia of the influential Cuban American National Foundation. Bush's 537-vote victory over Al Gore in Florida certainly would not have survived much in the way of lowered turnout.

The Bush administration now seems to appreciate that it has a problem in Miami, and that its public diplomacy there must improve. On August 21, the Department of Justice indicted three Cuban military officers involved in shooting down two airplanes flown by the exile group Brothers to the Rescue in 1996. Officials insist that these indictments had been in the pipeline, but their timing raised eyebrows. The administration also said it will enhance its TV and Radio Marti signals—currently jammed by Castro—so that more Cubans can receive these programs. Other initiatives will be announced in the weeks and months ahead. (Here's an idea: Allow newscasters on TV and Radio Marti to call Castro a dictator; right now, they must describe him as "president.")

One of the most helpful steps may be simply reminding Cuban Americans of what this White House already has done. The most significant policy may be the continued enforcing of the embargo, despite mounting pressure in Congress to loosen it. In a speech honoring Cuban Independence Day two years ago, Bush described the embargo as "not just a policy tool [but] a moral statement," and said that it was an important instrument for goading Cuba toward reform. It may in fact become indispensable during a transition period after Castro is gone.

This and some other measures have dampened a bit of the protest coming out of South Florida, but the administration hasn't satisfied everybody. Part of the problem is that Bush suffers from impossibly high expectations. Over the years, polls have shown a majority of Cuban Americans supporting U.S. military action to remove Castro from power—even though no recent administration has seriously contemplated such action. "You should see the focus groups we've done recently," says Sergio Bendixen, a Miami pollster. "Some people are almost jealous of Iraq. They want to know why, if Bush is willing to depose Saddam Hussein, he won't also go after Castro?"

Some people, of course, will never be satisfied. But it has become increasingly difficult to please huge majorities of Cuban Americans on major issues for the simple reason that views have begun to diverge. Exiles who arrived in the 1960s take a much harder line against the Castro regime than those who came here in the 1990s, according to polling by the *Miami Herald*. Most of the recent arrivals oppose the embargo—which is heresy among the older exiles.

The newcomers also tend to be poorer. The original wave of Cuban refugees drew largely from the island's middle class, which is part of why Cuban Americans have been such successful entrepreneurs. The more recent arrivals have come to the United States with next to nothing in comparison. Their economic profile is such that in 1996, only two Republican members of Congress voted against welfare reform: Lincoln Diaz-Balart and Ileana Ros-Lehtinen, both Cuban Americans from Miami. (At the time, they explained that their opposition wasn't to welfare reform broadly speaking, but to specific provisions denying benefits to noncitizens.)

This diversity of opinions and backgrounds suggests that Democrats may be able to chip away at this GOP constituency. In a few cases, they already have:

ROMAN GENN

The best-known Cuban-American politician in Florida today is Miami-Dade mayor Alex Penelas, a Democrat. Clinton did fairly well among the Cubans, too. During his first presidential race in 1992, he won a remarkable seal of approval from the late Jorge Mas Canosa, who was then the exile community's most prominent leader. "We need not fear a Bill Clinton administration," said Mas Canosa right before the election, signaling that it was acceptable for Cuban Americans to support a man from a party many of them didn't trust. As it turned out, only about one-fifth voted for Clinton that year. As president, though, Clinton supported anti-Castro legislation and pocketed about 35 percent of Cuban-American votes in 1996—enough of an improvement to become the first Democratic presidential candidate to win Florida in 20 years.

Partisanship, in fact, has played a role in this year's dust-up between Cubans and the White House. The administration's most prominent Cuban American, secretary of housing and urban development Mel Martinez, blames Democrats. "One group is working for the other [party] and making hay," he says. "It's Joe Garcia and the Cuban American National Foundation." That's right: The group founded by Mas Canosa to rally Cuban Americans around Ronald Reagan now employs a Democrat as its executive director. Granted, the foundation always has been nonpartisan and it created plenty of headaches for the first Bush administration. Garcia's criticisms of the current one also tend to come from the right, in the sense that he advocates doing more to undermine Castro. The ultimate effect of these criticisms, however, may be to lower morale among Cuban Republicans. "Garcia's agenda is not my agenda," says Rivera, the Republican state rep. "My agenda is to help re-elect George Bush, because he is a president we can believe in."

The president will surely do well among Cuban Americans next November, but it's an open question as to how well—or how well will be good enough. One thing is certain: Castro has helped keep Cuban Americans bound to the GOP. One day, at long last, he will be deposited on the ash heap of history. After that happens, it may not be long before Cuban-American loyalty to the Republican party joins him there. **NR**

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Oslo and Arafat—Ten Years Later

Has it brought us closer to peace in the Middle East?

Almost exactly ten years ago, Yitzchak Rabin, the prime minister of Israel, and Yasser Arafat, then as now the leader of the "Palestinians," shook hands on the White House lawn. They were joined by a beaming president Clinton, who had been instrumental in bringing this "Oslo Accord" about. The world, and certainly most Israelis and most of the world's Jews, were delighted. After almost 100 years of continuous strife, peace between Arabs and Jews, seemed to be finally at hand.

What are the facts?

Treachery from the beginning. For their efforts, Arafat, Rabin and also Shimon Peres, then foreign minister of Israel and one of the architects of the Oslo Accord, were awarded the Nobel Peace Prize. In retrospect, it seems almost unbelievable, that a thug, a liar, and a murderer like Arafat could have received that prize.

The treachery of Arafat became apparent almost immediately. One of the obligations that he had undertaken was to immediately stop all violence, and to assure that the state of Israel could live in peace and security. Just a few days later, however, a twenty-two year old Israeli was knifed to death. He was only the first of over 1,000 Israelis, who would be shot, knifed, or torn to pieces and thousands wounded and traumatized for life by "Palestinian" terror.

> "What to do with Arafat? The answer is to put him on trial, just as Adolf Eichman and Slobodan Milosevic were put on trial for the atrocities that they had committed."

Instead of bringing about a reconciliation, an end to the century-old conflict, the Oslo Accord succeeded in exacerbating it and to bring it to a bloody culmination. Regrettably, the Israelis did everything they could to empower the "Palestinians." They allowed them to arm themselves, though only with light weapons. But short of tanks, advanced missiles and warplanes, the "Palestinians" now have almost every conceivable weapon. Most of those weapons were smuggled in through tunnels into Gaza., with the Egyptians turning a blind eye. Only a few months ago, the Israelis intercepted the KARINE-A, a vessel loaded with 50 tons of advanced weaponry.

Author of many crimes. Arafat promised in the Oslo Accord to rescind the clauses in the "Palestinian Covenant" that call for the destruction of Israel. But he never did that, of course. The destruction of Israel, by one means or another, remains the supreme goal of the PLO.

In waging war against Israel, Arafat has brought untold misery to his people. Unemployment in the territories is over 50 percent; there's no commerce or industry; and the tens of thousands who had good jobs in Israel are now idle and cannot feed their families. There would now be mass starvation in "Palestine" were it not for the regular relief remittances from the governments of the world, most of them of course from the United States.

Very few people have any longer any faith in Arafat. Even the most sanguine have come to realize that he is a terrorist and an inveterate liar. For years he told the West about his peaceful intentions, but when speaking to his own people or to other Arabs he incessantly advocates "jihad"—total war against the Jews and the recovery of "Palestine from the river to the sea." That means the elimination of Israel.

Arafat's greatest crime must surely be the poisoning of the minds of two generations of Arab children. From the very first grade they learn to hate the Jews and to prepare themselves for martyrdom, preferably by blowing themselves up and killing as many Jews as possible.

But the sabotage of the Oslo Accord is only a small part of Arafat's villainy. He is personally responsible for thousands of terror attacks over the last six decades, including the killing of Israeli athletes at the Munich Olympics; the hijacking and blowing up of airliners filled with civilians; kidnapping and killing of Americans, including American diplomats; destabilizing Jordan; the effective destruction of Lebanon, and much more.

What to do with such a man? President Bush has finally recognized Arafat for what he is, though, inexplicably, he is still the darling of many European governments. The Israelis have kept him holed up for many months—he is out of circulation, and they have declared him to be irrelevant. But he is not, of course. From his lair, he is still in control, in contact with his minions, and he still calls all the shots. The Israelis have floated the idea of killing him or of exiling him. Both would be counter-productive. Killing him would make him a martyr. Exiling him would not prevent him from doing his mischief from every corner of the world. No, the answer is to take him prisoner and to put him on trial—just as the arch criminals Adolf Eichman and Slobodan Milosevic were put on trial for the atrocities that they had committed.

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NAKED ambition

The Clinton legacy laid bare

RICHARD LOWRY

For Bill Clinton, his exit from office in January 2001 was a national disaster. Not long ago, at Sen. Tom Harkin's steak fry in Iowa, Clinton lamented: "We went from surplus to deficit, from job gain to job loss, from a reduction in poverty to an increase in poverty, from a reduction in people without health insurance to an increase of people without health insurance." He added, for good measure, "Instead of uniting the world, we alienated it." Everything Clinton said was technically true, but served the cause of a larger lie—the implicit argument that all the good things were attributable to his miraculously proficient governance.

Instead, Clinton was fortunate to preside over a period of remarkable good times. What was good about the 1990s—chiefly the economy and the waning of social crises such as welfare dependence and crime—had almost nothing to do with Clinton policies. And as he was ready to leave office, the trendlines on the economy began to turn the other way. Clinton's unique contribution in office was to flip-flop and maneuver his way to substanceless political popularity, and to leave grave foreign-policy crises festering for his successor, from North Korea, to the Israeli–Palestinian conflict, to Iraq and al-Qaeda.

Clinton's sterling "legacy" is built on spin, lies, and misunderstandings. His defenders invest so much in puffing it up not just to have a club with which to beat George W. Bush, but to provide a basis for the eventual Hillary for President campaign. Bill Clinton's legacy is essential to Bill and Hillary's ongoing political project, and correctly understanding that legacy is essential to resisting it.

Mr. Lowry is the author of *Legacy: Paying the Price for the Clinton Years* (Regnery), from which this piece is excerpted.

I

The common thread to Clinton's time in office is smallness, of him personally and of his politics. Clinton's malleability and his fear of risk kept him—after the crash of Hillary's health-care plan—from proposing or thinking anything grand. Clinton shrank liberalism and the presidency. His 1992 campaign didn't lead to a liberal revival. Instead, liberalism atrophied, often able to check conservative reforms but not an independent creative force in its own right. It was a liberalism largely shorn of its idealism and of its ambition.

And Clinton became comfortable in the presidency only as the job dwindled to an exalted governorship or school superintendency. He kept busy by working on what didn't matter—it was safe and popular. So Clinton managed to be an activist—speaking and proposing a lot—while never straying far from the status quo.

Clinton represented the presidency in its post-heroic phase, and his successes were often selfish, not translating to his party at large, which lost ground in Congress and in the states during his time in office. Clinton was the Navel-Gazer-in-Chief, the president as Narcissus, his truest political principle devotion to himself. In the end, his political formula—a kind of deficit-hawk progressivism—was highly personalized, the key to popular governance in late-1990s America if you were a Democrat named William Jefferson Clinton.

Several of his influences linger on. His speeches weren't memorable, but with slogans like "100,000 new cops on the street" he affected the nature of sound bites forever. He blunted the edge of ideological politics for both Democrats and Republicans, which is a good thing if you consider "partisanship" an inherent evil, but not if you prefer politics to be a frank battle of ideas. And he intro-

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duced a cloying sentimentality into American political life, which had a hand in creating the "compassionate conservatism" of George W. Bush.

In short, Bill Clinton introduced much that is small, fuzzy, or ridiculous in contemporary American politics. Clinton was the intermission between one epic era in American politics, defined by the Cold War, and another, defined by the War on Terror. During this interval, there was mush, trivia, and wishful thinking.

The sympathetic gloss on the Clinton presidency is that it was a substantive success despite Clinton's personal failings. It was really the opposite. The administration was a personal success, for both Bill and Hillary. Bill attained global celebrityhood, while Hillary graduated into the U.S. Senate.

It was substantively that Clinton failed, on his own terms and by any reasonable standard. On his own terms, because he won office with two heartfelt priorities, creating massive new government "investments" and a New Deal–style government health-care system, the first of which was largely abandoned and the second of which went down to ignominious defeat. Thereafter, Clinton slithered to political survival and success, with small-bore, feel-good initiatives enshrined in his vacuous 1996 re-election campaign. The Clinton of 1992 would have scoffed at the exigencies of the Clinton of 1996, conducting a press-release presidency as he declared "the era of big government over."

Clinton's substantive failings were, in turn, connected to his personal failings. Clinton had important strengths. He was hyper-intelligent, empathetic, and had an amazing capacity for endurance. But his other personal traits crucially influenced his political character too: his indecision, his selfishness, his timidity, his inconstancy, and his self-pity.

Clinton was a weak person, and so ultimately a weak president. If his presidency was "post-greatness," it also was "post-masculine." Clinton was the new, sensitive man elevated to high office: sentimental and easily moved to tears, undisciplined and self-indulgent, endlessly and thoughtlessly expressive, schooled in the language and attitudes of therapy, fundamentally out of sympathy with that center of true masculinity, the military. He was a soft man for a soft age.

It is hard to pin down Clinton's politics, because there is such a dizzying array of maneuver and contradictions. Consider the legislative centerpiece of Clinton's early administration, his 1993 economic plan. After endlessly excoriating George H. W. Bush's economic record in the 1992 campaign, Clinton almost exactly duplicated the Bush economic program from 1990. Both Bush's 1990 plan and the Clinton plan in 1993 featured modest increases in the top income-tax rate, more Medicare payroll taxes on top earners, an expansion of the Earned Income Tax Credit for low-income workers, a gas-tax increase, and an increase in the alternative minimum tax.

Or consider his Medicare war with Newt Gingrich in 1995–96. Even this "stand on principle," which many liberals call his finest moment, was a typical Clinton reversal. In 1993 and 1994, Clinton said that unless the cost of Medicare and other health-care programs were tamed, the federal budget would never be brought under control: "Our competitiveness, our whole economy, the integrity of the way the government works, and ultimately our living standards depend on our ability to achieve savings without harming the quality of health care." But when polls showed the extreme vulnerability of the Gingrich Republicans in proposing Medicare savings—under their plan, Medicare would have grown at a 7.2 percent rate, instead of a 9.9 percent rate—he savaged them for it.

Then, in August 1997, Clinton cut a budget deal with congressional Republicans. It made the original GOP plan for Medicare savings look prodigal by comparison. In 1998, Medicare spending essentially held flat, and in 1999 it actually declined, something that had never happened before. In 1995–96, Clinton would have pounced on such spending declines as certain to decimate the elderly. In his second term, he tucked away those savings, with their positive effect on the deficit picture, as part of his legacy.

Clinton rode the tide of a rising America, making no real effort to try fundamentally to shape national events. Such big ambitions would almost have violated Clinton's sense of the presidency. He told journalist Joe Klein at the end of his administration, "We need to demystify the job. It is a job."

This downsizing served an important purpose. It made Clinton's personal shortcomings seem less important. In January 2000, a plurality of Americans—42 to 39 percent—said they were ashamed to have Clinton as president. But . . . so what? *Newsday* captured the nonchalance during the impeachment fight: "He hasn't been much of a President and he's even less of a human being, but it's still not worth the strain of impeaching him." In the new era, journalist Jacob Weisberg argued at the time, "leaders don't have to be ideal human beings, superior projections of ourselves. They merely need to understand our problems and help us grapple with them."

One key to Clinton's ability to endure in office, then, is that he didn't seem to matter much. He sought to bury his personal failings beneath his own inconsequence. Mission accomplished.

II

Clinton's political identity is inseparable from the economic boom of the 1990s, which he constantly invokes as the most successful aspect of his legacy.

Clinton's economic record has benefited from two big lies. The first is the dishonest picture Clinton painted of the American economy in 1992. At almost every campaign stop he talked of an economy that had already recovered from a mild recession as if it were Dresden in 1945—"it has to be rebuilt." He called it "the worst economy in 50 years," an absurdly false claim. The 1990–91 recession was relatively mild, and ended in March 1991, seven months before he even announced his candidacy.

The other lie is that his 1993 economic package transformed the federal budget, and hence the American economy. In fact, his

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plan was insignificant, a flea on the raging-bull economy of the 1990s. And his plan failed in its two specific aims: It didn't cause interest rates to fall, and it didn't significantly reduce the deficit.

The 1990s economy grew because of the vitality of corporate America, which during the 1980s and early 1990s had undergone the downsizing and retooling necessary to make it more efficient, more competitive, and more innovative. These strengths caused a surge of productivity that propelled the growth of the Nineties. Clinton thus presided over the second installment of an almost 20-year-long boom that began in 1983.

Clinton's contribution to it was to let Federal Reserve Board chairman Alan Greenspan, operating in tandem with the more conservative presidential economic advisers, emasculate his free-spending government "investment" program from the 1992 campaign. Subsequently, a Republican Congress hamstrung him for his remaining six years in office, during which Clinton adopted a quasi-Republican economic program.

Clinton's 1992 presidential campaign was predicated on opening the spigots for more government spending. When he had to abandon these plans, he went into a funk. He called his 1993 budget plan "a turkey," and was enthusiastic about a *New York Times* editorial that declared: "It won't be a budget that invests in the future and it won't be a victory for those who voted for an economic turnabout."

The problem for the Clinton team was that it couldn't have the president critical of his own budget. So the White House made a crucial pivot in its communications strategy that has endured to this day: It decided to pretend to be enthusiastic about the new budget plan as a wonderful economic elixir.

The White House latched on to the argument that by lowering the deficit, it would lower long-term interest rates, and thus stimulate the economy by reducing the cost of borrowing for consumers and businesses. But as Robert Reich, who served as Clinton's secretary of labor, would note, "Look back several decades and you see no direct relationship between deficits and interest rates." This is because inflation and the real return on investment, not deficits, drive interest rates.

Theoretical questions aside, the Clinton plan as a practical matter didn't lower interest rates. The Clinton budget passed and was signed into law in August 1993. In February 1994, just six months later, Greenspan raised rates to address new inflation worries. This was the first in a series of seven increases during the next year. By April 1994, long-term rates were 7.4 percent, higher than when Clinton took office, and the ten-year rate peaked around the time Republicans captured Congress in November 1994.

If Clinton's 1993 plan didn't lower interest rates, it didn't significantly cut the deficit either. The deficit reached its 1990s high of $290 billion in fiscal year 1992 and fell to $255 billion in fiscal year 1993, a roughly $40 billion reduction even before Clinton got started. The deficit tends to rise during recessions and fall during expansions. It climbed with the recession of 1990–91, before declining again as the recovery took hold. So, just as Clinton was taking office, natural forces were already working to reduce the deficit.

Without the restraint of Congress, it's not clear Clinton's policies would have reduced the deficit at all. Congress killed his big-spending health plan. Congress killed his 1993 "stimulus plan," originally proposed at $30 billion. And the spending caps from the 1990 budget deal, which Clinton railed against, provided some enforced restraint. It was a $29 billion cut in defense spending from 1992 to 1995 that accounted for all of the deficit reduction from Clinton's policy changes in that period.

Even after all the hoopla of Clinton's 1993 program, the Congressional Budget Office in January 1995 projected annual deficits of more than $200 billion between 1997 and 2005. Fiscal restraint didn't truly come to Washington until after the Republican congressional sweep in the 1994 elections. Soon enough, the technology-driven economic growth created a stunning wave of revenue that took the budget from a $200 billion projected deficit in 2002 to a projected surplus in about nine months.

The downside of the great boom of the late 1990s is that it created a hangover of bad investment it would take years to work through, and that a culture of corporate cheating had taken hold. The boom began to peter out in 2000. Manufacturing output began to decline in August and industrial production in October. By the end of January 2001, just as Clinton left office, 217,000 manufacturing jobs had already been lost. Before George W. Bush's economic program became law, manufacturing job losses reached 652,000.

This handoff to Bush of a declining economy provides Clinton some of his best anti-Bush talking points, on jobs, the deficit, the poverty rate, and health insurance. (Although the insurance picture is driven by factors other than the economy, a weak economy will boost the ranks of the uninsured.) There was something symbolically perfect about Clinton's touting economic growth that was going bust, and leaving someone else with the consequences. Clinton's presidency had achieved a sort of symmetry. He took office overselling a slowdown, and left office overselling a boom.

III

A slowing economy is hardly the worst of Clinton's bequests to George W. Bush. It was in the area of foreign affairs that he left the most ticking bombs. He left al-Qaeda ensconced with a network of terror camps in Afghanistan. He left Saddam Hussein in place, and getting stronger every day. He left Yasser Arafat in a position of strength, puffed up by fawning American diplomatic attention. And he left a North Korea fattened with American aid.

Clinton scores Bush for alienating the world, but Clinton had an opposite, and much worse, problem. He was so worried about following international opinion that he abdicated America's leadership role. He waited two and a half years, for instance, to stop the Serb slaughter of Muslims in Bosnia, because Britain and France didn't want to initiate a serious bombing campaign. Only

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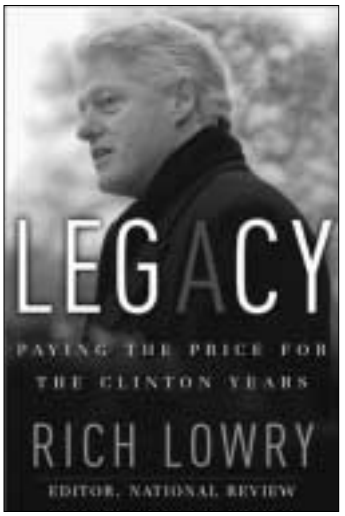
when the French flipped, and favored a more aggressive policy, did Clinton begin to move. But not before Jacques Chirac—of all people—declared in disgust at Clinton's passivity that "the position of Leader of the Free World is vacant."

The boundaries of the Clinton administration's actions tended to be set by America's critics. Clinton warned of the threat represented by Saddam Hussein's weapons of mass destruction, and said his policy was to overthrow him. Fine—but he wasn't actually going to do anything about it. That would mean ruffling too many international feathers. Even bombing bin Laden's camps in Afghanistan was out of the question. As former Clinton NSC staffers Daniel Benjamin and Steven Simon write, by way of explaining the pass given to bin Laden, "Several policy makers, especially from the State Department, where the foreign criticism of American actions was perceived most acutely, argued that the United States was increasingly seen as the world's mad bomber."



It wasn't even that the Clinton administration followed too exactly the U.N. line, in an excess of "multilateralism." In many cases, it was weaker than the U.N. It obstructed proposed U.N. action to try to stop the genocide in Rwanda. It undercut U.N. inspections in Iraq. And it was willing to settle for weaker inspections in North Korea than the International Atomic Energy Agency had demanded.

The resulting Agreed Framework with the North Koreans in 1994 is arguably the most characteristic Clinton foreign-policy "accomplishment"—born of appeasement, sustained by dishonesty, and temporary in nature, ensuring a crisis for Clinton's successor. North Korea promised to freeze its nuclear program at Yongbyon, and in exchange the United States would build light-water reactors for the North and provide other aid.

Why North Korea needed reactors was a mystery, since the same energy needs could be provided by gas-, oil-, or coal-fired power plants, much simpler to build and maintain. But the time necessary to construct the nuclear reactors was the point, from the North Korean point of view. It meant a drawn-out process during which Pyongyang didn't have to fully perform in terms of yielding to inspectors or dismantling its nuclear assets.

In the meantime, North Korea could test missiles by firing them over Japan, proliferate missile technology around the world, and continuously threaten war, while becoming the largest recipient of U.S. aid in Asia. For the administration, this aid served an important ulterior purpose: creating the illusion of progress with the North. "Officially a humanitarian gesture, American food aid has become a bribe for North Korea to attend meetings that create the impression U.S. diplomacy is working," wrote former diplomat Robert A. Manning in 1998.

The CIA had thought North Korea would cheat on the agreement all along. "Based on North Korea's past behavior," it wrote in 1995, "the [intelligence] community agrees it would dismantle its known program, [only] if it had covertly developed another source of fissile material."

The U.S. came to believe in 1997 that North Korea had built an underground nuclear facility in Kumchang-ri. But the administration still maintained that all was well with the Agreed Framework. On July 8, 1998, Secretary of State Madeleine Albright told Congress that the Agreed Framework had "frozen North Korea's dangerous nuclear-weapons program."

To honest observers, it was clear by the late 1990s that North Korea still had such a program. Nonetheless, in October 2000, Albright visited North Korea to pave the way for a possible last-minute Clinton trip there to cut a new version of the Agreed Framework, this time dealing with North Korea's missiles. She called Pyongyang an "impressive and beautiful city," pronounced Kim Jong Il "jovial and forthcoming and interested and knowledgeable," and professed to be taken with the "Kim Jong Il-ia," a flower bred in honor of the dictator.

Clinton ultimately decided not to go to North Korea in December 2000 because he had run out of time, and a sequel to the Agreed Framework was dropped. The Agreed Framework itself ended when the North Koreans admitted in October 2002 to an ongoing uranium-enrichment program, which had been in operation since 1997 or 1998.

The Clinton administration's fundamental mistake was failing to realize that the nature of the North Korean regime was the problem. The goal should have been to topple the government, rather than prop it up on the basis of empty promises. Any deal should have been much stricter, and it should have included demands that North Korea implement political and economic reforms. This would have required a much stronger stomach for confrontation, and a much grander effort to muster China and Japan in pressuring the North Koreans. It was much easier to sign a weak deal and dishonestly sell it as a solution.

IV

As long as the Agreed Framework stayed technically in force, it contributed to the impression of "peace and prosperity" that was so important to Clinton politically, but that had become illusory by the end of his administration. Even as late as January 2001, of course, it was hard to imagine the recession and the terror attacks that were to come in a matter of months. Clinton got little rest in his final days, raging against the moment when it would all end, and not in the glory he had imagined, but in a whimper of personal disgrace (thanks to impeachment and the pardons) and missed opportunities.

When it came time to attend the inauguration of George W. Bush, he literally couldn't keep his eyes open. With his hand-picked successor beaten, with the economy slowing down, with corporate scandals building and about to explode, with jobs disappearing, with Saddam Hussein resurgent, with Yasser Arafat waging a terror war against Israel, with North Korea working on a new nuclear program, with the September 11 terrorists already in the country, Clinton found on the podium that day a perfect gesture to cap his eight years in office.

He fell asleep. **NR**

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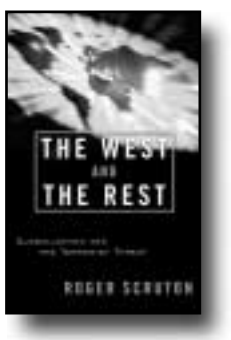

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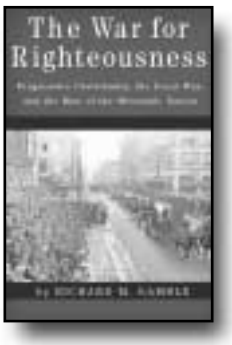

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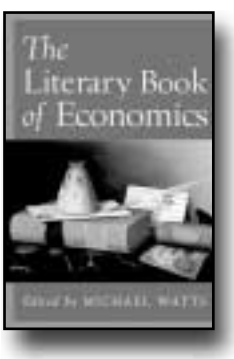

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■ PUBLIC POLICY

A Stern Face and a Warm Welcome

What to do about immigration policy and immigrant policy—two different things

MARK KRIKORIAN

To the casual observer, it might seem that the federal government has made real progress on immigration since 9/11. And, in fact, some of the measures we've seen over the past two years are encouraging signs that immigration is again being taken seriously, after decades of malign neglect: the shift of the immigration function to the new Homeland Security Department, progress toward developing a tracking system for foreign visitors, and registration of aliens from certain Middle Eastern countries.

But these are scattered moves lacking an overall strategy; the discussion of immigration policy in the political realm remains mired in the "nation of immigrants" clichés. This drift in immigration policy has allowed the illegal-alien population to balloon to 9 million, with two consequences: First, irresponsible proposals for vast amnesties (usually tarted up as guest-worker programs) have been put forward by, among others, the White House and Sens. John McCain and Edward Kennedy. Second, the policy vacuum has enabled immigration policy to be set, by default, by state and local authorities, under the direction of the Mexican foreign ministry. Jurisdictions across the country are progressively enacting a series of measures that amount to a de facto illegal-alien amnesty—California's decision to issue driver's licenses to illegal aliens being only the most recent example.

There are many things the federal government should leave to lower levels of government or the private sector, but management of immigration isn't one of them. It's time Congress filled this vacuum, and with something other than the vacuities emanating from McCain, Kennedy, et al.

Many public-spirited lawmakers have introduced bills to address specific problems, no doubt calculating correctly that piecemeal measures have a better chance of passage. But what is the overall framework such measures should fit into? What should our immigration "meta-policy" be, the policy that determines our other policies?

We needn't go far to discover it. The popular wisdom on immigration, inchoate and incomplete as it is, should be our guide. The American people, in every survey taken, say they prefer less immigration and tighter controls—and with good reason, given the economic, fiscal, social, and political problems caused by mass immigration. At the same time, we can be proud of the fact that we are the least xenophobic society in human history, making Americans out of people from every corner of the earth. This recognizes the two parts of any approach to this issue: *immigration* policy and *immigrant* policy. The first governs the conditions we place on admission of newcomers, the second governs how we treat them once they're here. Thus the answer: a meta-policy that combines low immigration and no-nonsense enforcement with an enthusiastic embrace of lawfully admitted newcomers. In other words, a pro-immigrant policy of low immigration—fewer immigrants but a warmer welcome.

Mr. Krikorian is executive director of the Center for Immigration Studies and a visiting fellow at the Nixon Center.

WHAT IS TO BE DONE?

The starting point of *immigration* policy must be adequate capacity, and willingness, actually to enforce the law, whatever the content of the law happens to be. Lack of enforcement has been the central problem of immigration policy. Congress can design the most elegant legal and administrative framework imaginable, but it won't matter if the immigration authorities are not permitted to use it to enforce the law. Let me be clear: The chief reason for the lack of enforcement of our immigration laws is not incompetence or malfeasance on the part of the immigration bureaucracy, though there is surely plenty of that to go around. The real problem is the firm determination in Congress and successive administrations that the law *not* be enforced. For instance, when the INS conducted raids during Georgia's Vidalia onion harvest in 1998, thousands of illegal aliens—knowingly hired by the farmers—abandoned the fields to avoid arrest. By the end of the week, both of the state's senators and three congressmen had sent an outraged letter to Washington complaining that the INS "does not understand the needs of America's farmers," and that was the end of that.

After an attempt at devising a "kinder, gentler" means of enforcing the immigration law was similarly slapped down, the INS got the message. It developed a new interior enforcement policy that gave up on trying to reassert control over immigration and focused almost entirely on the important, but narrow, issues of criminal aliens and smugglers. The title of a *New York Times* story in 2000 sums it up: "I.N.S. Is Looking the Other Way as Illegal Immigrants Fill Jobs."

Assuming we can actually muster the political will to act, what can we do with the 9 million illegals and how can we prevent more from coming? The issue is usually presented as a stark choice: arrest them all or give them amnesty. Since no one thinks we can, or even should, deport 9 million people en masse, the only remaining choice would seem to be amnesty, whatever fig leaves are used to mask the truth. But amnesty and overnight mass deportation are not the only choices. There is a third way: squeezing the illegal population so that it declines through attrition. The government estimates that each year, some 400,000 people leave the settled illegal-alien population, by returning home voluntarily, being deported, or getting a green card. The problem is that 800,000 *new* illegal aliens settle here each year, more than replacing the outflow.

The enforcement approach we must adopt, then, is clear. If we put pressure on illegal immigrants so that more of them leave and

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fewer new ones come, we will see the illegal population start to decline, allowing the problem, over time, to take care of itself. Nor is this mere speculation; we've actually seen it work on a small scale already. The immigration authorities recently concluded a "Special Registration" program for visitors from Islamic countries. The affected nation with the largest illegal-alien population was Pakistan, with an estimated 26,000 illegals here in 2000. Once it became clear that the government was actually serious about enforcing the immigration law—at least with regard to Middle Easterners—Pakistani illegals started leaving in droves on their own. The Pakistani embassy estimated that more than 15,000 of its illegal aliens have left the U.S., and the *Washington Post* reported in May the "disquieting" fact that in Brooklyn's Little Pakistan the mosque is one-third empty, business is down, there are fewer want ads in the local Urdu-language paper, and "For Rent" signs are sprouting everywhere.

The reassertion of control by the government over seemingly minor matters reestablishes a sense of order, leading to decreased lawbreaking in general.

This example highlights the applicability of "broken windows" policing to immigration. As Michelle Malkin has pointed out, citing the famous *Atlantic Monthly* article by James Q. Wilson and George Kelling, ignoring "minor" immigration violations creates the same atmosphere of disorder as leaving broken windows unrepaired does in a run-down neighborhood. And, as Mayor Giuliani demonstrated in New York, the reassertion of control by the government over seemingly minor matters reestablishes a sense of order, leading to decreased lawbreaking in general.

The enforcement initiative that would yield the most bang for the buck in restoring a sense of order would be enforcement of employer sanctions (the shorthand term for the ban on hiring illegal aliens). Ideally, we need a national system to enable employers to determine whether new hires have the right to work in the United States. In fact, several pilot verification programs developed by the INS continue to operate, and participating employers are generally pleased with them. But developing a nationwide system will take time, and face political opposition. In the meantime, rather than letting the perfect be the enemy of the good, we should implement less comprehensive measures that can be achieved more easily and still have a very significant effect. For instance, an initiative to notify employers of Social Security numbers that didn't match the accompanying names has met with great success.

This principle underlying employer sanctions—requiring proof of legal status—should be extended to other activities that most people engage in, but do so infrequently: getting a driver's license, registering an automobile, opening a bank account, applying for a mortgage, enrolling in higher education, getting a business license.

WHO SHOULD BE LET IN?

Once an infrastructure is in place to enforce our immigration policy, what should the content of that policy be? Most immigration, regardless of the source or destination, is permitted for one of three reasons: family connections, employment needs, and pure humanitarian concern. *Family-based immigration* now accounts for nearly two-thirds of green-card recipients. The relationships that give rise to special immigration rights should be limited to the nuclear family: husbands, wives, and small children of U.S. citizens. That would reduce immigration based on blood or marriage by about half, to some 300,000 per year.

In addition to a handful of Einsteins, *employment-based immigration* admits a wide array of ordinary people who should not receive special immigration rights. A cap of 25,000 would be more than adequate for a highly targeted subset of the current categories, but if such a reduction proved difficult for political reasons, a good starting point would be to cut this stream by at least half, from the 1999–2002 average of 129,000 per year. *Humanitarian immigration* has three subparts: refugee resettlement (bringing refugees from overseas), grants of asylum (reclassifying as a refugee someone who is already here illegally or on a temporary visa), and cancellation of removal (a grant of amnesty to an illegal alien whose deportation would cause "exceptional and extremely unusual hardship"). The solution here is to depoliticize the determination of who should qualify and establish an overall cap, just as a family might set a target for the coming year's charitable giving.

In addition to these three main components of legal immigration, there are several other issues. The visa lottery, which gives 50,000 green cards a year to people from countries that send relatively few immigrants (mainly the Middle East and Africa), has no national-interest rationale and no real political support, and should be discontinued immediately. Also, temporary visas, technically known as "nonimmigrant" visas, need to be capped at much lower levels, especially those visas for foreign students, workers, and exchange visitors. These programs have become little more than side doors to permanent immigration. And guest-worker programs should *never* be instituted. Whether intended for tomato pickers or computer programmers, such schemes are inherently dishonest and have failed everywhere: They inevitably lead to permanent settlement and actually promote *more* illegal immigration.

GOLDEN DOOR

So much for *immigration* policy; what of the second component of the meta-policy—the "warmer welcome"? The place to start fixing *immigrant* policy is the immigration office. The service side of the former INS, now called U.S. Citizenship and Immigration Services, has an abysmal record of dealing with applicants. There are long lines, surly staff, and applications lost in bureaucratic black holes. This should sound familiar to most Americans, because that's exactly the way most state motor-vehicle departments used to operate. But even as DMVs have gotten better over the past decade, the immigration service has not. This is wrong; one expects immigration enforcement to present a stern face to illegal aliens, but why are *legal* immigrants subjected to such caprice and discourtesy, especially

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when they're paying for the privilege through fees?

The analogy is not frivolous. Just as the DMV is the one government agency that virtually all adult citizens are sure to have business with, the immigration service is, necessarily, the one agency that all immigrants have to deal with at one time or another. As a recent article in *Governing* magazine pointed out, DMVs have made significant strides in technology and customer service. But the immigration authorities have just begun inching in this direction. Only this spring did they begin to permit electronic filing, and only of two specific forms, which account for about 30 percent of the total number of applications received in a year. Electronic *filing*, however, doesn't mean electronic *processing*. Employees still have to print out the applications at their end and file them with millions of others, filling row after row after row of bookshelves in service centers around the nation.

The first step, then, is to streamline the bureaucratic process; the second is to help newcomers integrate into our society more swiftly. To begin with, all newcomers we admit for long-term residence should be admitted as Americans-in-training, and not as servants whose labor we rent at our pleasure and discard when convenient. That means no guest-worker programs and no winking at illegal immigration, both of which allow foreigners to live here, but only on a contingent basis, at our sufferance.

Proactive efforts at assimilation have been sorely lacking during this latest wave of immigration. Nonetheless, there is much that can be done. The U.S. Commission on Immigration Reform recommended that orientation materials be presented to new legal immigrants upon admission, almost like an instruction manual for life in America. This would include a welcoming statement on behalf of the American people, a brief overview of American history and civics, and "tools for settlement," including basic information on paying your taxes, U.S. holidays, the importance of credit reports and paying bills on time, how to use the postal and telephone systems, etc. We take much of this for granted, but for a newcomer, having all this in one place can be a godsend. Political psychologist Stanley Renshon, in his upcoming book *The 50 Percent American*, recommends that governments go further and work with businesses and civic groups to set up welcome centers to help immigrants adjust to the U.S. Expanded English-language instruction is also vital.

The final component of the warmer welcome is counterintuitive, but very powerful: Immigrants will be helped by reductions in future immigration. The first beneficiaries of lower levels of admissions would be the immigrants already here, since they would experience less competition for jobs. More difficult to quantify, but perhaps as important, is that lower levels of immigration would make less pressing the tough measures that have been proposed to deal with immigration-related problems—sweeping restrictions on access to welfare, for instance. With a smaller flow of new immigrants, and a gradually shrinking immigrant population, we will have much more flexibility.

Our current immigration mess is politically unsustainable. Too many lawmakers from both parties have decided that amnesty and basically open borders are the only way to solve this problem, despite overwhelming public opposition. This disconnect between the public and the elite represents an enormous opportunity for a political figure championing a pro-immigrant/low-immigration approach to reform. **NR**

■ **PUBLIC POLICY II**

Divorce-on-Demand

Forget about gay marriage—what about the state of regular marriage?

DENNIS E. POWELL

Much has been made, and rightly so, of the campaign to permit marriages between persons of the same sex. But even if that campaign were to succeed, its proponents would likely find their victory a hollow one. That is because marriage as an institution has been so thoroughly dismantled and devalued that today it carries just about the same moral weight as—and somewhat less legal authority than—a contract for cellular-phone service. In most states, according to the Rocky Mountain Family Council, it's easier to get out of a ten-year marriage than it is to be rid of an employee hired one week ago.

I have recently gained the ability to comment advisedly on the subject, for my marriage is the target of a modern "no fault" divorce. As it has unfolded, I have discovered how my state—Connecticut—has done all it can to make ending a marriage easy, while making little or no provision for preserving it. In Connecticut, as in other states, "no fault" divorce means "divorce because it suits the mood of at least one partner." The state has produced an official publication, the "Do-It-Yourself Divorce Guide" (available online at http://www.jud.state.ct.us/forms/DivorceGuide.pdf), to make getting a divorce as simple as mounting a defense against a speeding ticket—even if your spouse has no interest in divorce.

Especially if your spouse has no interest in divorce. The "Do-It-Yourself Divorce Guide" offers everything one needs to know to obtain a divorce, but no guidance as to how one who opposes a divorce might respond. There is plenty on how to battle for a bigger piece of the marital corpse and on getting court orders of alimony, child support, custody, and exclusive use of the family home. There is no mention of another pre-judgment court order (a *pendente lite*, as such things are called) available under the law, in which the court may order two sessions with a marriage counselor or other person trained in the resolution of disputes within families. This unmentioned provision is the law's sole nod to the preservation of the marriage.

Filing for divorce, the guide notes, is a simple matter. Fill out a couple of forms, take them to the court clerk, and have copies delivered to your spouse by a process server. The divorce complaint, the second of the forms (the first is the summons, common

Mr. Powell is a freelance writer, currently at work on a history of the space-shuttle program.

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to all lawsuits in family court), requires the grounds for the divorce to be stated as follows:

> A divorce is being sought because: *(Check all that apply)*
> This marriage has broken down irretrievably and there is no possibility of getting back together. **(No fault divorce)** [Bold in original]
> Other *(must be reason(s) listed in Connecticut General Statute § 46b-40(c))*

The copy of the form served on me by State Marshal Frank R. DeLucia has the first of these choices selected. To demonstrate how meaningless the sentence is in practice, a little background is necessary, using my case as an example.

DOING IT HERSELF

When on the morning of May 7 my wife seemed troubled, I inquired as to why. She was at first reticent, but when I persisted she said, "I want us to be good friends but not married anymore." I was stunned.

My wife—she is still that as of this writing—is an attractive, intelligent, educated woman, a lawyer who graduated with honors from an Ivy League law school. She has no passion for the law, and her chief concern, or at least the one she has chiefly voiced, is that as a writer I do not make enough money to pay the bills and, ultimately, allow her to quit her law-firm job. Ours was (is?) a marriage that by many standards would not seem unduly troubled at all. Sure, there have been the occasional bumps, but they certainly did not result in either physical or verbal abuse, or even much raising of voices. Mostly, it has been warm and—I thought—happy. Still, my wife thought (and thinks) that divorce is the only answer. I disagree.

Connecticut has a remedy for such disputes: As long as either party wants a divorce, for any reason or for no reason at all, then divorce it will be. The law insists on dissolution of marriage whenever divorce is proposed. The governing case, as the "Do-It-Yourself" guide so helpfully points out, is *Eversman* v. *Eversman* (1985), in which a Connecticut appeals court found that "the fact that the defendant maintains hope for reconciliation will not support a finding that there are prospects for a reconciliation. . . . A difference, to be irreconcilable, need not necessarily be so viewed by both parties."

The effect is to transform divorce from the last resort, as it was before Connecticut passed Public Act 73-373 in 1973, into the first choice. Interestingly, commentary published on the new law at its passage suggests that the "no fault" provision was added for those who *agree* to divorce. *Eversman* made short work of that notion.

(It can sensibly be asked why anyone would wish to stay in a marriage in which one spouse wants out. The answer is revealed in the findings of a long-term study on the subject, released in 2002 by the Institute for American Values, in which researchers found that "unhappily married adults who divorced were no more likely to report emotional and psychological improvements than

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those who stayed married. In addition, the most unhappy marriages reported the most dramatic turnarounds. Among those who rated their marriages as very unhappy, almost eight out of 10 who avoided divorce were happily married five years later." Other surveys show that the vast majority of married people contemplate divorce at one time or another. The ease of divorce today increases the likelihood that those persons will follow the divorce route rather than solve marital problems.)

The "defendant"—in most cases the party who doesn't want a divorce—is instructed that he or she may file an "appearance." This means only that the defendant will be informed of filings and events in connection with the case. The defendant may file a "cross complaint," the sole purpose of which is to make the other person a defendant, too. Or he may file an "answer," and it is here that the absurdity of "no fault" divorce becomes especially apparent. Given the presence of two parties—a plaintiff who seeks the dissolution of the marriage and a defendant who very likely does not—one would suppose that there might be some means for the defendant to, well, defend himself. There isn't.

Connecticut's "answer" form comprises, chiefly, a grid of four columns: "Paragraph No.," "Agree," "Disagree," and "Do Not Know." The last three columns contain check boxes. The instructions are: "Number each line in the chart below to match the numbered paragraphs in the Complaint or Cross-Complaint (example: 1, 2, 3, 4, 5a, 5b). Use as many lines as you need. For each paragraph mark an 'X' for Agree, Disagree, or Do Not Know." The complaint filed against me pointed out that 1) we are married, 2) we were married in Stockbridge, Massachusetts, on October 25, 1997, and so on. My lone disagreement was with Paragraph 5 ("This marriage has broken down irretrievably and there is no possibility of getting back together.") But as *Eversman* v. *Eversman* informs us, the court doesn't care about that.

The rest of the answer form is a checklist of things that the defendant might want to ask the court to order. These include alimony and child support, and, in a throwback to the final line in so many letters to Santa Claus, "anything else the court thinks is fair." Looking for and finding no item to the effect of the court's ordering that "You people go home and grow up and work it out and stop wasting the court's time," I didn't check any boxes. This may well mean that my answer is invalid, in that I asked for no court orders. By filing an answer at all, the "defendant" only returns fire in the dispute, with the effect that the expected surrender turns into a war, even though the defendant can fight only on symbolic grounds, the outcome being predetermined.

A hearing is then scheduled. Among the subjects covered is "whether the grounds have been proven (which they always are!)," says Ct-Divorce.com, a website sponsored by a Greenwich matrimonial lawyer.

THE COLLAPSE OF AN INSTITUTION

In 1997, the percentage of first marriages that ended in divorce was 50 percent. The median duration of a marriage was 7.2 years. This according to "DivorceMagazine.com" (yes, there is such a thing, with the slogan "help for generation 'ex'"). It wasn't always so.

In America, divorce used to be difficult to obtain and, usually, impossible without good reason: adultery, abandonment, abuse, alcoholism. In 1880, according to the historian Robert L. Griswold, one marriage in 21—fewer than 5 percent—ended in divorce. Over time, there have been peaks and valleys in the divorce rate, such as the period immediately following World War II, when returning soldiers found things rather different from how they had left them, or were themselves tremendously changed by war. "But beginning in the mid-1960s," writes Griswold, the divorce rate "again began to rise dramatically, fueled by ever-higher marital expectations, a vast expansion of wives moving into the work force, the rebirth of feminism, and the adoption of 'no fault' divorce (that is, divorce granted without the need to establish wrongdoing by either party) in almost every state." Griswold continues, "The last factor, although hailed as a progressive step that would end the fraud, collusion, and acrimony that accompanied the adversarial system of divorce, has had disastrous consequences for women and children."

Maggie Gallagher expanded upon the injustice of "no fault" divorce in her 1996 book, *The Abolition of Marriage*: "Divorce is usually not the act of a couple, but of an individual. Eighty percent of divorces in this country are unilateral, rather than truly mutual, decisions. The divorce revolution has not, as is usually claimed, produced a straightforward increase in personal freedom. Rather the divorce revolution can be more accurately described as a shift of power, favoring the interests of one party over those of the spouse who is being abandoned and over those of the children whose consent is not sought."

A matrimonial lawyer in New Canaan put it tragically succinctly: 'Marriage is an anachronism. It's a tax status. Nothing more.'

Like so many things that seemed a good idea at the time and that swept the nation with disastrous results, "no fault" divorce popped up first in California, where it was passed into law in 1969 and signed by Gov. Ronald Reagan. A provision that would have required counseling in contested cases and cases involving children did not make it into the law, which introduced the now-familiar phrase "irreconcilable differences" and which made divorce glamorous and trendy.

In our popular culture the marriage vows now might as well be "as long as the money is good, my spouse's health is not a burden, I don't find someone I like better, for so long as it suits my mood." A matrimonial lawyer in New Canaan put it tragically succinctly: "Marriage is an anachronism. It's a tax status. Nothing more."

No, it *is* something more, or has become something more. It has become another place where one is freed of the consequences of a

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decision. Honesty would be served if the first part of every wedding service were, "Ladies and gentlemen, what is about to unfold is devoid of any actual meaning, except perhaps as the prelude to some acrimonious financial transactions."

"After all," the New Canaan lawyer continued, "people are doing everything outside of marriage that can be done inside marriage. They are in committed relationships"—where either party can walk away on a whim, which used to distinguish such relationships from marriage—"they are buying homes, having children . . ." And he is right, though it is scarcely something to say with pride. There used to be things unique to marriage, but those that remain are few and technical.

My conversation with the lawyer cost me $400. Such "consultations" used to be free or very cheap. But a good friend, a matrimonial referee in Westchester County, New York, tells me that this has itself been abused. "In areas such as Westchester and some counties in Connecticut, people preparing for divorce would have consultations with all the good divorce lawyers," he explained. "This would create a conflict that would prevent the other spouse from retaining any of those lawyers once the divorce was filed. So they began charging a significant fee for consultations." The purpose of a lawyer for the defendant is *solely* to provide representation in arriving at a settlement—division of property and debts, and handling of the children, if there are any. It is not to challenge the premise of the lawsuit, or to suggest that this divorce might be a bad idea.

Which brings us to the bitterest irony in "no fault" divorce. In the old days, a spouse seeking a divorce just because he or she felt like having one needed to persuade the other spouse to play along. A husband wanting a divorce, for instance, would persuade his wife to file for divorce under a phony claim of fault (often "extreme cruelty"); a woman seeking a divorce might talk her husband into offering no defense against her charge of "extreme cruelty." This was Griswold's "fraud, collusion, and acrimony," and it was the leading argument in favor of establishing "no fault" divorce. The effect of "no fault" divorce, however, has been to shift those desperate measures to the spouse opposing a divorce, he or she having been stripped of any other means of saving the marriage. (For example, the spouse seeking a divorce has always been able to say, "If you refuse, I will make your life hell." The argument available to the defendant today is limited to pointing out that the divorce can be made very expensive.) The measures that were so effective in persuading a recalcitrant spouse to go along with a divorce are adversarial in nature; they were effective in breaking up marriages but are useless now that the scales weigh in favor of divorce. If a marriage is not "irretrievably broken down" at the beginning of the process, it is likely to be before the smoke clears.

Across the board, in society and in the law, marriage has become a not-very-funny joke. It solemnizes nothing, signifies nothing, carries no weight, and can be left virtually for the asking. Add marriage to the institutions where one's decisions, actions, and commitments are escapable without much consequence.

ILL AFTER ILL

Yet even for those who believe that marriage is a worthless institution, there are some hard facts that suggest that the law should tilt toward the preservation of marriage. For instance, every study on the subject that I can find demonstrates that divorce increases the likelihood of premature death among spouses on both sides of the lawsuit. Among divorced men, the death rate from high blood pressure and heart attack is double that of their married neighbors; from pneumonia, the rate is seven times as high. The suicide rate among divorced men is four times that of married men. A 1988 study of 20,000 women found that married women were far less likely to become ill than their divorced counterparts, and that, statistically, marriage proved "more important to these women's health than age, education, and family income."

Divorce also fuels poverty. Statistics prepared in 1992 show that more than half of the single-parent households headed by women are below the poverty line. Some of these women, of course, were never married—another accomplishment to which modern society can point with pride—but single motherhood is the likely result when half of all marriages end in divorce. On average, divorce leads to a 30 percent reduction in income for women and a 10 percent reduction in income for men.

How to respond to these data? The clear conclusion is that it is in society's interest to declare marriage a good thing and to seek its preservation. But that was known all along; today, the likely reaction would be to call for new and expensive government programs that will seek (and fail) to cure these ills. (Originating, probably, in California!)

Some argue that the "no fault" experiment has failed and that the time has come to return to a more traditional view of marriage. Maggie Gallagher has proposed a waiting period of several years for a divorce. A few states have introduced legislation that seeks to make it more difficult to get a divorce on a whim. Others have proposed mandatory counseling. But there has not exactly been a rushing wave of support for divorce reform.

There are many who raise their voices against the idea of marriage among same-sex partners. I agree with them. Marriage ought to be between a man and a woman. But marriage ought to be a lot of things it once was but no longer is. Keeping marriage heterosexual may be a good idea, but it has meaning if and only if it is part of defending marriage from the multitude of assaults that have left it a withered, beaten shell of its former institutional self.

Until then, the chief question pertaining to gay marriage is, "Why would they bother?" **NR**

Marriage ought to be between a man and a woman. But marriage ought to be a lot of things it once was but no longer is.

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THE LIMBAUGH RULE

"I KNOW... LET'S JUST PRETEND TO HAVE WEAPONS OF MASS DESTRUCTION AND REFUSE TO GIVE UNRESTRICTED ACCESS TO U.N. INSPECTORS SO WE CAN FORFEIT BILLIONS OF DOLLARS IN REVENUE AND QUITE POSSIBLY GET OURSELVES KILLED."

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Hollywood Vamps Wesley

It's not a letch yet, though eyes bat
And breasts heave, as the Democrat
Who cheered Bush only yesterday
Joins in the tentative foreplay.
He turns some old-time bolshies white,
So it could still be, "Not tonight"
If Dean sails on like Noah's Ark.
It's antsy courting Wesley Clark.

—W. H. von Dreele

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IT'S ANOTHER WATERGATE!.....
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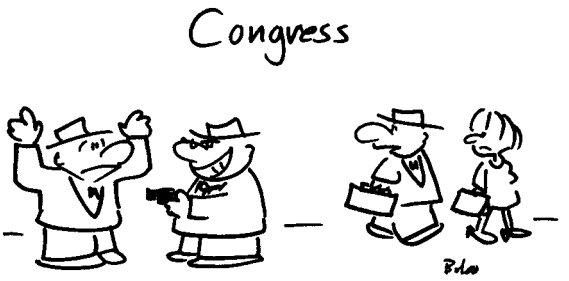

"Looks like Senator Krupt found a loophole in the campaign-finance law."

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HE'S A SERIAL GROPER! HE HAS A PATTERN OF HARASSMENT!! HE MUST BE STOPPED!!!
DAVIS
NO RECALL
RELAX, BILL, HE'S TALKING ABOUT ARNOLD...

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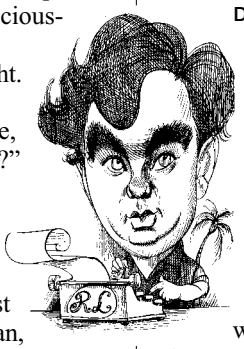
the long view

ROB LONG

Transcript from *Larry King Live*, November 11, 2003

LARRY KING: "You're on the air with the winners of the 2003 World Series, the Boston Red Sox! Hello!"
CALLER: "Is it me?"
LARRY KING: "What's your question, caller?"
CALLER: "I'm just . . . I just . . . I need to know if I'm awake and it's really after the World Series and the Red Sox have really won, or if I'm asleep and just dreaming that they've won."
LARRY KING: "Which is it, guys?"
PEDRO MARTINEZ: "It's hard for us to say, Larry, with any certainty. I mean, if this was some kind of dream, then wouldn't the caller know it? He'd be smelling toast or coffee right now, in that, like, middle part between—"
JOHNNY DAMON: "What sleep researchers call 'the half-consciousness,' I believe."
PEDRO MARTINEZ: "Right, right. Thanks, Johnny."
JOHNNY DAMON: "Anytime, bud. But caller, are you there?"
CALLER: "Yeah."
JOHNNY DAMON: "Do you think you're asleep?"
CALLER: "Well, it's just that . . . no offense . . . it's just that I'm a lifelong Red Sox fan, okay, and, I mean, the idea that you guys won the World Series . . . it's just . . . I mean, it's hard to—"
LARRY KING: "We get the picture, caller. Guys, is there anything you can do to help the caller out?"
PEDRO MARTINEZ: "No, Larry, sorry. That would violate the psychological rules of dream logic."
LARRY KING: "So this is a dream?"
JOHNNY DAMON: "Not necessarily. It could simply be a glimpse into an alternate reality."
LARRY KING: "A parallel universe? The occult?"
MANNY RAMIREZ: "Not necessarily. It could be an alternate universe in which the things you wish would happen actually happen. Medieval scholars often postulated the existence of such a place."
LARRY KING: "You're talking about Fantasyland?"
JOHNNY DAMON: "Perhaps."
CALLER: "So, the Red Sox have won the World Series?"
LARRY KING: "In Fantasyland."
CALLER: "I'll take that."
LARRY KING: "Tomorrow night, the whole hour with Al Franken to discuss his new book, *I Guess I Was Wrong About a Lot of Stuff, I'm Sorry, and I'm Going to Shut Up Now*."
CALLER: "Well, I guess that proves it."



Transcript from *Larry King Live*, November 12, 2003

LARRY KING: "We're here with Maureen Dowd and Paul Krugman! Hello, guys."
DOWD AND KRUGMAN: "Hi, Larry."
LARRY KING: "I say 'guys,' but the truth is, you're a woman, right?"
DOWD: "That's correct, Larry."
LARRY KING: "And you're not."
KRUGMAN: "Correct. Correct."
LARRY KING: "Is the caller there?"
CALLER: "Is it me?"
LARRY KING: "What's your question, caller?"
CALLER: "Well, I guess I wanted to know if you or your guests had an opinion about whether this is all really happening, and Maureen Dowd and Paul Krugman have recently admitted that their columns for the *New York Times* are gratuitously error-filled and flatulent, or if, maybe, I'm asleep and dreaming."
LARRY KING: "Didn't you call yesterday?"
CALLER: "I think it was yesterday. I don't really know."
LARRY KING: "I don't know if we can help you, caller."
DOWD: "Wait a minute, Larry. This is an interesting question. I mean, on the one hand, it's clear that Paul and I are symbols of the decline of the *New York Times*. Our columns are pompous and geriatric—"
KRUGMAN: "Well, to be fair, Maureen, *my* columns are pompous and geriatric. *Yours* are childish and incoherent."
DOWD: "Point taken, Paul."
KRUGMAN: "But to pursue your point, I think what Maureen is getting at, caller, is that while our writing betrays a kind of slapdash lack of insight and a ludicrously predictable parroting of *bien pensant* nonsense, it's unlikely that two such clownishly self-satisfied grandees would ever admit it."
DOWD: "That's a great insight, Paul."
KRUGMAN: "Thanks, Maureen."
DOWD: "I guess what Paul is saying, caller, is that you must be dreaming."
CALLER: "Yeah, I thought so."
LARRY KING: "If you'll permit me, caller, to ask: What else is going on in your life right now?"
CALLER: "Well, a few minutes ago I was running in the sand. And then before that I was trying to open a package that I knew had something cool in it but for some reason I couldn't open the package."
LARRY KING: "Interesting."
CALLER: "I've got to go now, Larry. My third-grade teacher wants to give me a sensual massage."
LARRY KING: "Tomorrow night, the whole hour with Emperor Hirohito!"

Transcript from *Larry King Live*, November 13, 2003

LARRY KING: "Is the caller there?"
CALLER: "I'm here, Larry. I've got a question for your guest."
LARRY KING: "Well, as you know, caller, my guest has taken a ten-year vow of silence. She's just here really to prove her commitment to that. So you can ask her a yes-or-no question only, and she'll answer by nodding. Is that okay, caller?"
CALLER: "That's fine."
LARRY KING: "What's your question?"
CALLER: "I'd like to ask Arianna if she's really taken a ten-year vow of silence, or if I'm dreaming."
LARRY KING: "Didn't you call yesterday?"
CALLER: "I don't really know."
LARRY KING: "Arianna's nodding."
CALLER: "To which question? Am I dreaming? Did she take a vow of silence? I need to know."
LARRY KING: "Can't you just enjoy it while it lasts?"
CALLER: "Do you hear music?"
LARRY KING: "Yeah."
CALLER: "Where is it coming from?"
ARIANNA HUFFINGTON: "From your clock radio. Time to wake up."
LARRY KING: "Tomorrow night! The whole hour with Anson Williams and Donny Most!"

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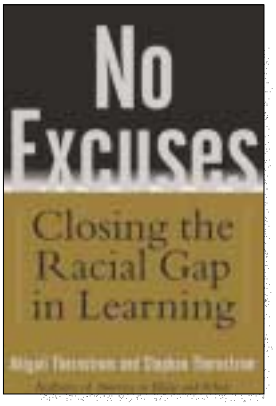
The Anti-Excusers



No Excuses: Closing the Racial Gap in Learning, by Abigail Thernstrom and Stephan Thernstrom (Simon & Schuster, 352 pp., $26)

JAY NORDLINGER

Odd that Abigail Thernstrom and Stephan Thernstrom should be considered big conservatives today. Mrs. Thernstrom spent the first part of her career as an earnest liberal, a civil-rightsy liberal. Mr. Thernstrom is a history professor at Harvard, and a winner of the Bancroft prize (the number-one award in the writing of American history). I don't mean to shock you, but they usually don't give the Bancroft prize to conservatives. And, indeed, the book for which Mr. Thernstrom won—*The Other Bostonians: Poverty and Progress in the American Metropolis* (1973)—is not exactly a conservative tract.

When I was a student under Mr. Thernstrom in the 1980s, I did not detect a rumbling conservatism. I recall that he said to me one day, "I see that you're interested in conservatism, Jay—have you tried talking to Ed Banfield?" (meaning, the great political scientist who wrote *The Unheavenly City*). But Professor Thernstrom was a fair and broad-minded historian and teacher, and he did assign one book by Thomas Sowell. He knew that his students should be familiar with that extraordinary man's work.

It is, to me, the most touching thing about the Thernstroms' current book—*No Excuses: Closing the Racial Gap in Learning*—that it is dedicated to Sowell: "for his pioneering scholarship and unflagging courage." It is a perfect dedication, in its wording and in its matching of book to dedicatee.

So, did the Thernstroms move right, or did American politics—particularly the Left—just go sort of crazy on them? Probably some of each. Reagan loved to tell audiences, "I didn't leave the Democratic party—the Democratic party left me." That was a little too pat, but there was some truth to it. Both Abigail and Stephan Thernstrom took hard looks at the country as it stood in the '80s and '90s and found themselves roughly in the conservative camp.

And I make my usual point that it takes amazingly little to qualify as "conservative" these days. This couple has clung to their old values, in particular their love of *E pluribus unum* and their hatred of racial inequality. Their passion in this direction is probably more intense than ever. But their analyses and arguments are deeply offensive to the Left as it has developed, and they have therefore been made pariahs by their old crowd.

No Excuses is a follow-on to their monumental *America in Black and White: One Nation, Indivisible* (1997). In it, they explore the awful but critical question of why "non-Asian minorities"—that is to say, blacks and Hispanics, though particularly blacks—lag so far behind others in learning. It is their conviction that "the racial gap in academic achievement is an educational crisis," and also "the main source of ongoing racial inequality"—which is "America's great unfinished business." They say that "for too long," this gap has been treated as "a dirty secret—something to whisper about behind closed doors. As if it were racist to say we have a problem."

How bad is it? Extremely bad. By the time senior year in high school rolls around, black kids "are typically four years behind white and Asian students, while Hispanics are doing only a tad better." In other words, "these students are finishing high school with a junior high education."

Oh, they're receiving a high-school diploma, all right, and they're enrolling in college—in very large numbers. But because they are ill prepared, a comedown awaits: the misery of failure, resentment, and stunted life opportunities. And the Thernstroms make clear that time alone will not heal this national condition: The racial gap in education has worsened severely over the last decade and a half. Politicians, voters, educators, and parents—and students themselves—will have to make a *decision* to do better.

The Thernstroms maintain that nothing works like standards, testing, and accountability (which happen to compose a mantra for President George W. Bush). The couple takes on the enemies of testing, who include the education writer for the *New York Times* who sniffed, "There is no standardized test for tolerance" ("tolerance" being a holy grail in the modern education biz, along with "diversity"). Yes, but there are standardized tests for reading and math, without which life can be intolerable.

Not wishing to paint a picture of total bleakness, the authors devote a section to "Great Teaching"—to schools that should be models for others. All of them involve more instruction, more parental cooperation (or at least non-obstruction), less nonsense. Also, these schools are more orderly—saner even in a physical way. They present an atmosphere conducive to learning. Trash is picked up, graffiti are effaced, and students dress decently. The famous "broken windows" theory applies in education, as elsewhere. Kids are made to look others in the eye, to say "please" and "thank you," and to be on time. They are required to behave in ways that used to be unremarkable.

Moreover, schools that work—"break-the-mold" schools—teach a real curriculum. They don't indulge misspelling, they don't go in for "rain-forest math" (!), they don't read the Founders—and Lincoln—out of American history. They

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actually expect students to acquire genuine knowledge, which is viewed by many educators as radical and fanciful.

The Thernstroms devote a chapter to Asians, those great American achievers, "minorities" though they are. They have no secret—"ancient Chinese" or not: They—the parents—simply require their children to work and study hard, with no excuses, and, miraculously, they do. Asians—who constitute 4 percent of American students—constitute about a quarter of the freshman classes at MIT and Stanford, and who knows how much higher that percentage would be if not for hidden, though widely and reasonably assumed, quotas?

We absorb an interesting point about Hispanics: that whatever gains they might make are overwhelmed by the constant flood of Latin American immigration. Hispanics as a group—if you will forgive the group-think—are constantly having to start afresh, so to speak. And unlike Asians, they are often trapped in linguistic ghettos, where they can get by (if only barely) without knowing English.

But it is the story of black Americans that is the most heartbreaking and maddening. Many people, when they look at the numbers—the numbers that reveal this yawning racial gap—want to "run for more comfortable ground": to economic explanations, to geographic explanations, to class-size claptrap, and so on. None of it works; none of it is right. Black students are lagging far behind whether they're rich or poor, whether they live in the suburbs or in a city, whether their parents are educated or not. What would help is an end to excuse-making and a renaissance in expectations.

The authors explode the superstition—and the wish—that more money for education is an answer. Billions have been lavished on schools, with no results. Class size is another shibboleth: First, small class sizes do not increase learning, and, second, class sizes have become quite small anyway. More integration? The Thernstroms decline to believe that "a black child must sit next to an Asian classmate in order to learn arithmetic." What counts in a school "is not the racial mix, but the academic culture." Interestingly, some activists claim that a) black kids must have black teachers, because others can't be "role models" for them, and b) they must have white classmates. All of it is phony.

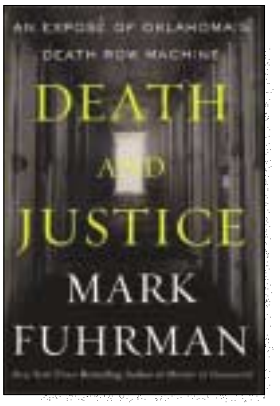
The Thernstroms hold out some hope for the Bush-driven act known as "No Child Left Behind"—at least it will demand accountability for the expenditure of federal money. But there are mammoth "Roadblocks to Change" (the title of their final chapter). It will surprise no reader of NATIONAL REVIEW that the biggest roadblock of all is the teacher unions. No matter how dim your view of these unions is, it will get dimmer after reading this book. Also, the picture—the picture of why we have had persistent failure—will get clearer.

Starkly put, "the job of unions is to protect the interests of teachers," and "the job of schools is to protect the interests of students." It is hard—discouragingly hard—to please unions while serving students. And these unions are scared to death of even the tiny number of charter schools in the midst of all the regular public schools. It is rather like a non-tyrannical Iraq in the Middle East—just one counter-example, and everyone else says, "Uh-oh."

The Thernstroms have written an important, bracing, and deeply conscientious book. It is a combination of cool scholarship and passionate caring. One word we read over and over again is "appalling": This statistic is "appalling," and that rationalization is "appalling." With unrelenting data, they prove what your intuition and common sense tell you; they confirm that what you know in your bones is true.

Their old friends may despise them, but the rest of us—the nation at large—should be grateful. If this pair has "moved right," it is perhaps because they recognize that the old barriers to progress have been removed, and that there are now "no excuses." Lester Maddox doesn't live here anymore; time to get rollin'. They administer reality checks to liberals—and to everyone else—purveying the facts, weighing the options, and pointing out the way. They write, "A decent society does not turn a blind eye" to gross educational inequality. That conviction shouldn't qualify as "conservative," but given the furious resistance to reform from the other side—you wonder. NR

The Mills of Justice



Death and Justice: An Exposé of Oklahoma's Death Row Machine, by Mark Fuhrman (Morrow, 288 pp., $25.95)

JACK DUNPHY

FIRST, full disclosure: I knew Mark Fuhrman for many years when he worked for the Los Angeles Police Department. We were neither partners on the job nor close friends away from it, but I never knew him to be anything but a good cop and a good man, one who made the unfortunate mistake of allowing his darkest thoughts to be recorded for posterity. I have never believed for a moment that he tampered with evidence in the O. J. Simpson case. Simpson killed those two people, and anyone who believes otherwise is pathetically deluded. If they can bring themselves to read this book, those who cling to the belief that Fuhrman is some kind of latter-day Bull Connor will find their opinions of the man challenged, for it is an account of how his own opinions of the justice system and the death penalty were challenged and ultimately transformed.

Fuhrman hosts a radio show on KXLY in Spokane, Wash., and one day in October 2001 his on-air guest was Jack

Jack Dunphy is the pseudonym of an officer in the Los Angeles Police Department.

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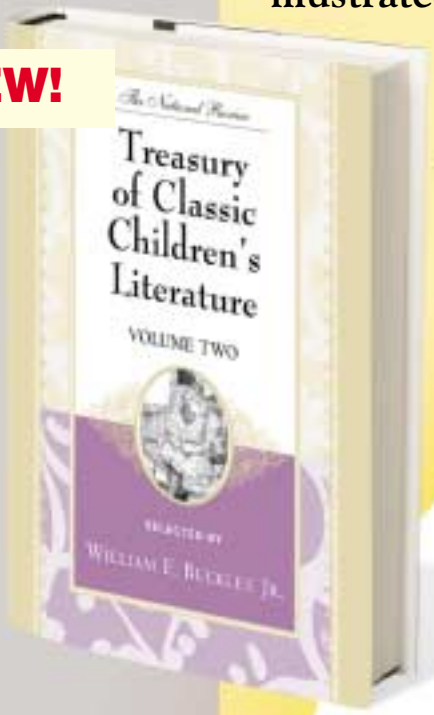

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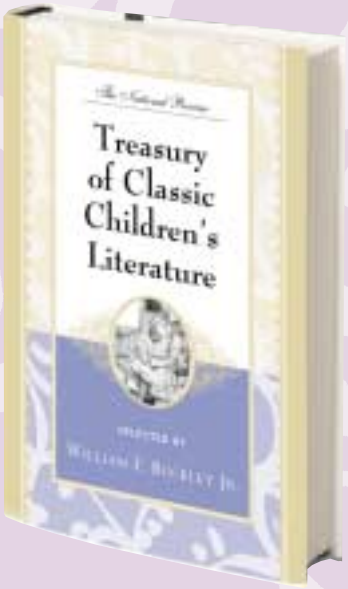

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Dempsey Pointer, president of the Oklahoma Criminal Defense Lawyers' Association. "It's a mess down here in Oklahoma," Pointer told him. "We're executing people; we don't know if they're innocent or guilty. It's a regular death factory." Fuhrman was skeptical. "If you don't believe me," Pointer said, "then come on down and see for yourself." To his credit Fuhrman did just that, and what he discovered shocked him, as it should shock anyone who believes that only the truly guilty are convicted of murder and sentenced to death.

Fuhrman introduces us to Bob Macy, who in his 21-year career as district attorney for Oklahoma County, Okla., sent 73 men and women to Death Row, more than any other prosecutor in the country. Macy was something of a legend in Oklahoma, a law-and-order man in a law-and-order state. Unlike most district attorneys, who serve as administrators over their offices and leave the trial work to subordinates, he participated in many of these death-penalty cases himself, making tearful, fire-and-brimstone closing arguments before juries made up of people who believed in him and had voted for him. According to Fuhrman, when Macy announced to the public that only the death penalty would properly serve the interests of justice in a murder case, the entire machinery of the local justice system compliantly kicked into gear and brought this desired outcome to fruition. Such a force was Macy in Oklahoma politics that most local judges, subject to reelection as they were, were reluctant to challenge him. And appellate judges in Oklahoma are subject to retention elections as well; though appellate panels often found fault with certain aspects of Macy's death-penalty cases when they came up on automatic appeal, they dismissed these faults as harmless errors—allowing both the convictions and the death sentences to stand.

As those who watched the O. J. Simpson trial remember, Fuhrman was a homicide detective for the LAPD, and he brings the insights gained over the course of his own 20-year career to bear on those Oklahoma detectives who, he believes, came to premature conclusions about some murder suspects, then tailored their investigations so as to exclude any evidence that did not fit their theories of how the crimes had been committed. When such a theory was then challenged by defense attorneys at trial, Bob Macy would come up with some wildly speculative alternative. For example, when the alibi of one murder defendant was supported by twelve witnesses, Macy argued that the defendant must have traveled by private jet to traverse the 300 miles that separated him from the crime scene. Macy offered no evidence that the defendant had actually made such a flight, yet the jury convicted the man and sentenced him to death. The conviction was later overturned by the U.S. Court of Appeals for the Tenth Circuit, but the man served six years on Death Row before being released.

The technical case Fuhrman makes against the state's death penalty is powerful, but he makes a strong moral case too.

Fuhrman is also harshly critical of another player in the Oklahoma County criminal-justice system, forensic chemist Joyce Gilchrist, formerly of the Oklahoma City Police Department. Because of her ability to get results no other chemist could, one homicide detective nicknamed her "Black Magic." Fuhrman concludes that she came up with results that eluded others only by ignoring evidence that pointed away from anyone and anything that did not handily fit the detectives' preconceived theories. In the days before DNA testing, forensic chemists such as Gilchrist used conventional techniques such as blood typing and hair analysis to identify or eliminate suspects in a given crime, but the results of such tests can be subject to much subjective interpretation. Gilchrist was only too willing to interpret them in a manner that buttressed the theories put forward by police. Detectives would bring Gilchrist evidence collected from a suspect they wanted to arrest in a given crime, and she would provide them with the forensic evidence they needed to bring the case to Bob Macy's office. Macy, in turn, would argue the case to his faithful jurors, aided of course by the testimony of these same detectives and Joyce Gilchrist. Defense attorneys, uneducated in the science and overmatched by the sheer power of Macy's courtroom persona, watched helplessly as their clients were convicted and sentenced to death. Gilchrist was finally dismissed from the police department after investigations by federal and state authorities revealed her to be incompetent at best and malicious at worst. Fuhrman writes:

> If Gilchrist knew and understood the science, then she must have intentionally skewed, suppressed, or fabricated some of her forensic results. If she were simply incompetent, her mistakes would have been all over the map. Instead, her mistakes benefited the prosecution. And when she gave misleading testimony, it concerned matters in which she knew and understood herself to be vulnerable. Even if she wasn't a terribly competent scientist, Gilchrist knew enough to understand what she had to cover up. Using [forensic chemist Laura] Schile's formulation, I believe this proves malice.

The technical case Fuhrman makes against the death penalty, at least as it was practiced in Oklahoma County, is indeed a powerful one, but he makes a strong moral case as well. He writes movingly of his conversations with Jim Fowler, whose son Mark was executed for murder and whose mother Anna was raped and killed in her Oklahoma City home. Though Fuhrman believes Mark Fowler participated in the robbery-murder for which he was convicted, he found ample reason to doubt that it was Fowler who actually did the killing, a factor that should have mitigated his sentence. And the man originally charged, convicted, and sentenced to death in the rape and murder of Anna Fowler was later released when DNA testing showed him to be innocent.

Fuhrman says that when he was a cop, he "had compassion [only] for the victims of crime . . . Jim Fowler helped me realize that it was possible to feel compassion even for criminals—which is right and necessary, yet only makes the rendering of justice more difficult." He understands how complex reality can be; with the result that even those who still believe the worst about Mark Fuhrman will find great value in this book. **NR**

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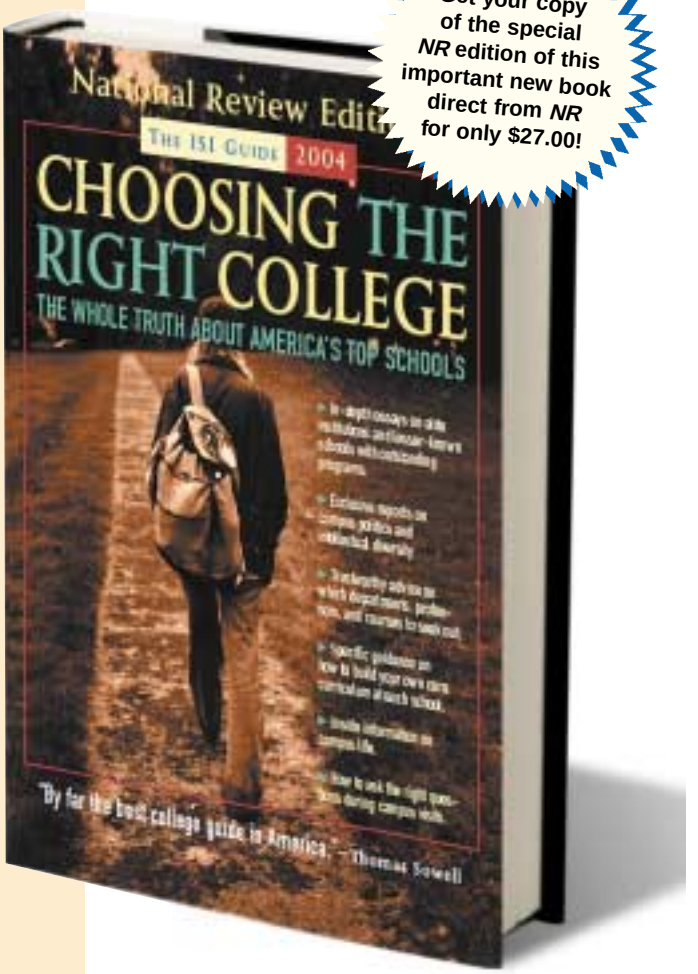

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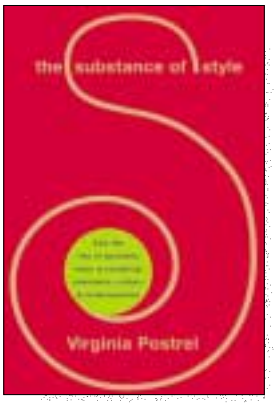

The Substance of Style: How the Rise of Aesthetic Value Is Remaking Commerce, Culture, and Consciousness, by Virginia Postrel (HarperCollins, 237 pp., $24.95)

KENNETH SILBER

THIS is a book devoted, in large measure, to asserting that its subject matters. The subject is aesthetics, defined not as the philosophy of art but rather as "the way we communicate through the senses" and "the art of creating reactions without words, through the look and feel of people, places, and things." Aesthetics, according to Virginia Postrel, is an increasingly important element of our society, both economically and culturally; moreover, in her view, its expanding role is mostly a good thing.

In recent decades, in Postrel's telling, people have placed growing emphasis on the "look and feel" of their possessions, their environments, and even their own bodies. This is a consequence of growing affluence, as more people now can afford to focus on such things. But it is also deeply rooted in human nature, for impoverished people too have for millennia participated in art and design. Postrel aptly criticizes social scientists who apply an overly simplified version of psychologist Abraham Maslow's "hierarchy of needs" to describe aesthetics as a luxury to which only wealthy individuals and societies pay heed. Rather, attention to aesthetics is better viewed through the economist's concept of marginal value, in which circumstances affect how much more of something is desired.

Postrel writes an economics column for the *New York Times* and is a former editor of the libertarian magazine *Reason*. (I wrote a number of articles for *Reason* during her tenure.) Her previous book, *The Future and Its Enemies*, presented a case for "dynamism," an affinity for decentralized technological and cultural change. *The Substance of Style* reflects a libertarian and dynamist outlook as well, as Postrel celebrates the aesthetic boom as conducive to individual choice and creativity. At the same time, she displays an interest in finding middle ground in political and intellectual disputes over aesthetics. The book succeeds in establishing the importance of its subject, and moreover provides a thoughtful guide for navigating some of the contentions of the emerging aesthetic age.

Postrel convincingly demonstrates that a shift toward aestheticism is in fact underway. She ranges broadly across the landscape of everyday life, discussing clothing, cars, real estate, makeup, plastic surgery, hairstyles, restaurants, computers, graphic design, vacation destinations, and more. Increasingly, economic value is tied to aesthetic considerations. Consumers want their products to work—but also to look good. Hence, General Electric now makes plastics in thousands of colors and textures. Restaurants that serve fine food go out of business because their décor is unappealing. Brochures and résumés are typed using fonts that few typesetters could offer a few decades ago. Dermatologists remove age spots with lasers.

By contrast, during much of the 20th century, consumers tended to focus on functionality and convenience. Aesthetic considerations were not absent; the tailfins of automobiles in the 1950s were one example of product differentiation based on looks. But for the vast numbers rising into the middle class, the reliability of products was often a paramount concern. A brand-name hotel room might not be beautifully decorated, but it was assured to be clean and comfortable. Being not far removed from urban tenements or austere rural homes, middle-class consumers wanted to be sure the faucets and lamps would work.

As interest in aesthetics has grown, various social critics have castigated it as deceptive or destructive. Naomi Wolf's *The Beauty Myth* advocates "civil rights" for women to forego makeup, hair dye, and cosmetic surgery. Daniel Bell, in the 1996 edition of *The Cultural Contradictions of Capitalism*, highlights fashion and beauty products as part of a hedonistic "contradiction" undermining capitalism. Economist Robert Frank attacks aestheticism as purely status-driven, a wasteful competition with the neighbors. Critic Stuart Ewen denounces product design and packaging for creating "provocative surfaces" that distract consumers from quality and substance.

Against such complaints, Postrel points out that people actually take pleasure in the way things look. Surfaces do matter, not necessarily for what they tell us about substance (which may be little or nothing) but because they can be pleasing or displeasing in themselves. Pleasure is no less important than usefulness. Furthermore, changes in surfaces, shifts in fashion and style, stem from individual freedom. Such changes are wrongly depicted as due to commercial manipulation; in fact, fashions arise even in noncommercial matters such as the naming of babies.

Moreover, aesthetics is rife with meaning. People develop and convey a sense of who they are as they make choices about how to dress or decorate. In tinkering with appearances, one can express one's connections with others, or with particular places or ideals. People create new meanings for aesthetic signals over time. The color blue in 12th-century France signified the monarchy; six centuries later, it symbolized revolution. Today, in Europe, blue is often associated with conservative political parties. It also signifies the U.N., IBM, and more.

Increasingly, aesthetics has been a

Mr. Silber is a contributor to the web publication Tech Central Station and a columnist for *Mental Floss* magazine.

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subject of political and legal battles. Local governments regulate the look of houses and neighborhoods. Communities assert a stake in the preservation of old buildings. Wealthy environmentalists block the development of clean-energy windmills that would obstruct their seaside views. Postrel rightly notes the danger of "design tyranny," in which authorities stifle aesthetic innovation or economic development by applying overly stringent or arbitrary standards.

She represents, however, a relatively moderate brand of libertarianism: She doesn't call for a laissez-faire sweeping away of aesthetically motivated laws and regulations, but for a pluralistic approach, in which communities vary in the nature and strictness of their aesthetic rules. Thus, people who wish to live in a neighborhood of similar (or identical) houses will have options to do so. Other communities will cater to people who want their homes to convey unique self-expression, or who prefer not to be bothered with aesthetic rules.

Postrel's overall celebration of aesthetics is made more convincing by her recognition that aesthetics has a dark side. There is a danger that people will focus only on surfaces, or that they will conflate the aesthetic with the moral. The films of Leni Riefenstahl testify to the power of aesthetics to disguise or glorify evil. Postrel emphasizes that beauty does not equal goodness, and notes that the antidote to such a misconception is to recognize that aesthetic value is autonomous: It is often disconnected from other values, and is not the highest among them.

The Substance of Style charts out the emerging aesthetic age but also foresees that this era will not last forever. Eventually, aesthetics will become part of the background of modern life; it will be taken largely for granted but missed acutely when it lapses, much as is now the case with convenience or hygiene. We do, however, seem to be closer to the beginning of the aesthetic age than to its end—and this book provides valuable insight into a phenomenon whose importance is too readily overlooked. **NR**

Unequal Struggle

Bush vs. the Beltway: How the CIA and the State Department Tried to Stop the War on Terror, by Laurie Mylroie (HarperCollins, 272 pp., $25.95)

ANGELO M. CODEVILLA

THIS book is the best available account of the reasoning behind the conduct of the war on terror. But it is based on a faulty premise, the one implicit in its title: that presidents neither control nor reform their bureaucracies. This is an analgesic for Republicans, because it shields President Bush from responsibility for the incoherence of terrorism policy that the book documents. If all presidents are equally beset by bureaucrats, then Bush can be excused, even praised, for making U.S. policy come out no worse than it has.

In fact, however, the image of a president battling bureaucrats on nearly equal terms applies only to those who have not tried to master their servants, or proved inept at it. It certainly does not apply to FDR or JFK—or even to Jimmy Carter or Bill Clinton. Nearly a half-century ago, Kennedy's defense secretary, Robert McNamara, bequeathed an organizational structure—an elite, and a culture—that dominates the armed forces as well as the thinking about them; none of his succes-

Mr. Codevilla is a visiting professor of politics and a Madison fellow at Princeton University.

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sors have challenged it. Jimmy Carter's CIA and NSA directors—respectively, Stansfield Turner and Bobby Ray Inman—made their agencies into what they are today by firing one kind of senior bureaucrat and elevating another. Similarly, bureaucrats knew that Bill Clinton could not be crossed with impunity. (Ask James Woolsey and John Deutch.) Laurie Mylroie never attempts to show the general applicability of her judgment that "even after a clear decision is made [by the president], sub-Cabinet and sub-sub-Cabinet officials may work to undermine it, while the overruled Cabinet official may continue to emit public signals of his unhappiness with the policy." In fact, Democrats have tended to shape, staff, and be served by the bureaucracy, while Republicans have lived with it and complained. With precise mathematical accuracy, presidents get from their bureaucracies neither more nor less than they deserve.

Although Mylroie writes much and well on the intelligence bureaucracy's grievous shortcomings regarding terrorism, she does not directly shed light on President Bush's connection to the bureaucracy's failings—except at one point, where she writes: "Even senior administration officials—including the president—may not have understood how strong the case against Iraq was." This points to the heart of what the title obfuscates: In fact as well as formally, President Bush is responsible. On this the sources she cites agree: Repeated reality checks to the contrary notwithstanding, Bush II, like Bush I, trusts U.S. intelligence, and the State Department as well. He staffs them and keeps them. He does not battle them. No one but he is responsible for the actual mix of judgment and policy.

This book's substantial value is as a case study of intellectual incompetence with regard to terrorism and Iraq. That incompetence has two sources: self-indulgent adherence to mistaken prejudices about policy, and failure to apply proper quality control to intelligence operations (the kind of watchfulness usually called counterintelligence).

Mylroie begins with the FBI's handling of the investigation into the fall 2001 anthrax mailings. There was never the slightest evidence that the spores came from an American, never mind a lone "right-wing" scientist; but the FBI angrily dismissed the massive evidence pointing in other directions. It did not deviate from its course, even though the anthrax letters—the first of which was mailed on 9/11 from a location near where the hijackers had operated, and all of which contained references to Islamic causes—practically begged the Bureau to think that they had come from al-Qaeda.

Then Iraq's Saddam Hussein publicly suggested that bin Laden was behind the anthrax attacks. Why was one of our enemies trying gratuitously to implicate al-Qaeda? One plausible answer begins with the fact that the essence of terrorist warfare is cover: giving the target the impression that the orchestrators of the attack are in fact innocent, and sending the target to look elsewhere. The anthrax attacks were small, and may have been a test—not of the powders or the delivery system, because those were sure to work—but of whether the *cover* would work: Would the American hounds go baying off after al-Qaeda and leave Iraq alone? Mylroie concludes that the FBI's focus on domestic terrorism baffled the Iraqis, who did not think that the FBI's theory would offer sufficient cover for larger attacks. In the absence of a firm disposition to blame al-Qaeda, the Americans might come after Iraq itself.

Within hours of the 9/11 hijackings, too, much evidence pointed to al-Qaeda. But this information was "low-hanging fruit": People expert at covering their tracks had left some tracks to be found. The media and the CIA pounced on the

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In the middle of my life, I had lost my way
and found myself alone in a dark wood
—Dante

Of course we are always alone, always lost,
and always in the middle of our lives.
At least we hope there is enough time left
to finally get things right. If only, if only . . .

And the dark wood seems to be getting darker
as we try to find the path we wandered from.
The world looks strange and wild when you are lost.
Waiting somewhere out there is the witch.

You get up in the morning and you drive to work,
your eyes on the road, your hands gripping the wheel.

—MICHAEL CREAGAN

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easy meat. Mylroie writes: "The willingness of the American media to accept simple (if flawed) explanations is matched only by the willingness of the U.S. government agencies to promote such explanations—even in the face of disturbing evidence to the contrary." The agencies did after 9/11 something like what they had done after the 1993 bombing of the World Trade Center. In 1993, they picked up a suspect who had been left behind intentionally (left without money, the sap went back to Ryder to collect the rental deposit on the van that had blown up with the bomb). Even though he had made 46 telephone calls to Iraq, the official judgment was that both the fool himself and the overall plot were about pure Islamist extremism, having nothing to do with any state. Similarly, U.S. intelligence went out of its way to ignore the fact that the professional doctoring of bombing mastermind Ramzi Youssef's Kuwaiti identity documents pointed to his being an agent of Iraqi intelligence.

Who, then, was ultimately behind the attacks on the World Trade Center, in 1993 and 2001? That is the question Laurie Mylroie has done more than anyone else to advance. In a nutshell, the official U.S. intelligence line—the basis on which President Bush has been acting—is that Youssef and the key organizers of 9/11 all belong essentially to one family, who are ethnic Baluchis, born and raised in Kuwait, and working for al-Qaeda. In fact, however, their activities began long before their 1997 association with al-Qaeda could have brought them the financial and organizational tools; furthermore, the notion that a single family could be at the heart of a worldwide assault on America is inherently implausible. Mylroie also argues, persuasively, that there is much reason to believe that these persons are not who they claim to be at all. In addition, at least five of the 19 persons whose names and photos U.S. intelligence published as those of the 9/11 hijackers did not match real people.

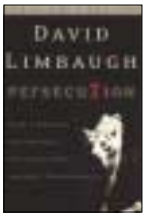
The CIA and FBI need to ask—and be asked—uncomfortable questions. In Mylroie's words: "People's egos and careers almost inevitably come into play [in intelligence] . . . the deceiver quickly finds an unlikely ally in the deceived." Until this problem is confronted, the title *Bush vs. the Beltway* will remain more a wish than a statement. **NR**

■ SHELF LIFE ■

Everybody's Bill of Rights

MICHAEL POTEMRA

AMERICANS are justly concerned whenever it becomes obvious that the freedoms of speech and religion are under attack. But sometimes the threats are least visible when they are in plain sight—that is to say, when the group being discriminated against is one "everybody" supposedly dislikes. In his fine new book, *Persecution: How Liberals Are Waging War Against Christianity* (Regnery, 416 pp., $27.95), David Limbaugh makes the compelling case that in today's America, it's the freedom of expression of Christians that often gets short shrift. The chancellor of New York City public schools, for example, declared that at Christmastime, no Nativity scenes would be permitted on school grounds; any pretense that this was an act in defense of the state's religious neutrality vanished when it was reported that there would be no similar ukase against Jewish menorahs, or against Islamic and Kwanzaa symbols.



It's easy to see how this state of affairs came about: In the conventional secular psyche, Christians are not viewed primarily as individuals with the same rights as anyone else, but rather dehumanized into avatars of an outdated and overthrown

Gareth Jones
— "the anti-Duranty"

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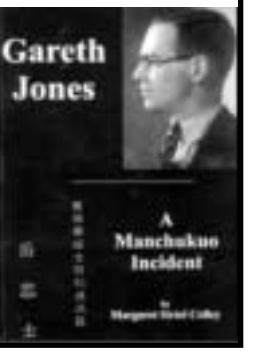

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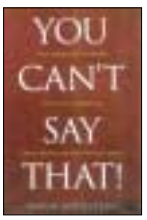
past oppression. If John Q. Citizen espouses an unpopular view or religion, he is a person whose whims can be safely indulged; but if John Q. Citizen happens to be a Christian, he needs to be carefully circumscribed—lest he and his cronies return us to the days of witch-burning. As Limbaugh makes clear, however, the typical American Christian is not a lurking ayatollah. The author himself reassures readers that he is not, for example, calling for the public schools to return to the "Christian-oriented education" of years past; what he wants is simple fairness.

Limbaugh addresses all the familiar hot-button issues—the Ten Commandments in public buildings, secularist curricula in the schools, etc.—but some of the best sections of the book discuss more recondite concerns, such as discrimination against churches in local zoning decisions. In fact, these low-profile matters make Limbaugh's case more effectively than some of the hotter issues. Even those who declare a strict faith in "separation of church and state" will realize that an injustice is being done when a couple hosts a quiet weekly prayer meeting for six to eight people—and receives a letter from the city planning board to desist, on the grounds that they are running a church in a residential area. That's a clear case of Big Brother's overreach—and even Clarence Darrow would protest.

■ George Mason University law professor David E. Bernstein takes on a similar menace in *You Can't Say That!: The Growing Threat to Civil Liberties from Antidiscrimination Laws* (Cato, 197 pp., $20). This excellent book demonstrates that, in case after case, "activists" for one cause or another have shown a willingness to trample on the rights of others. In the name of weeding out bigotry and male chauvinism, political conservatives are silenced by campus speech codes at public universities; in the name of tolerance, religious landlords are forced to accept tenants of whom they disapprove morally; in the name of defeating homophobia, the New Jersey supreme court tried to make itself the final arbiter of who should and should not be admitted to the Boy Scouts. The book offers a wide array of these horror stories; against them all, Bernstein offers a reservoir of common sense and fair play. He points out that, on basic principles, even those who clamor most loudly for these state intrusions would be wiser to eschew them. He quotes the legendary individualist Albert Jay Nock: "Whatever power you give the State to do things for you carries with it the equivalent power to do things to you."



A friend of mine many years ago suggested a bumper sticker that would capture the self-contradictory nature of much of the antidiscrimination agenda: "CRUSH INTOLERANCE." Bernstein suggests a better way—"asking Americans to display a measure of fortitude in the face of offense and discrimination." He recognizes that this "is asking for a lot . . . in these days of the Oprahization of public discourse." But, over the long run, it's our only hope for preserving freedom.

■ "FDR saved capitalism": This is one of the hoariest pieces of conventional political wisdom. If FDR hadn't reassured Depression-era Americans with New Deal measures, the argument goes, the country might have turned socialist—or worse. In *FDR's Folly: How Roosevelt and His New Deal Prolonged the Great Depression* (Crown Forum, 336 pp., $27.50), historian Jim Powell demonstrates that the opposite is true. FDR's misguided centralist policies, anti-business demagoguery, and punitive tax increases blighted the prospect of recovery. One of Roosevelt's own advisers, Randolph E. Paul, later admitted that the tax policies had "intensified the depression they were working to correct." It's well known that Ronald Reagan venerated FDR as America's leader in hard times; nor was he alone in this, among members of his generation. But the next time economic cataclysm looms, leaders should read Jim Powell's book—so that we can have some of FDR's moral uplift without his disastrously counterproductive policies.

■ *Losing Bin Laden: How Bill Clinton's Failures Unleashed Global Terror* (Regnery, 317 pp., $27.95), by Richard Miniter, is a sad tale of missed opportunities. The reader knows, all too well, how it will end; nonetheless, page after turned page, the level of poignant suspense rises. "If you want bin Laden," said the Sudanese foreign minister to U.S. officials in 1996, "we will give you bin Laden." But there was no deal. After the 1998 bombings of U.S. embassies in Africa, President Clinton ordered spectacularly ineffective missile strikes against the bin Ladenists, and subsequently approved covert actions that Miniter describes as "a series of heartbreaking half-measures." At one point, the CIA was even pressuring Afghanistan's Northern Alliance fighters *not* to try to kill bin Laden. After the October 2000 attack on the USS *Cole*, a meeting of key Clinton administration officials—including Madeleine Albright and William Cohen—discussed a proposal for retaliation against bin Laden, but nitpicked it to death with objections. One official present at the meeting, says Miniter, was "incredulous and frustrated," and asked a colleague afterwards: "What's it going to take to get them to hit al-Qaeda in Afghanistan? Does al-Qaeda have to attack the Pentagon?"

We cannot demand that our public officials act with a level of wisdom and discernment that only hindsight can offer. But they do benefit from the occasional chastening reminder that dithering carries with it a cost—and sometimes a horrible one. Miniter offers not just an indictment of one past administration, but a cautionary tale for all who will follow.

■ Joel Mowbray is a passionate and enterprising young investigative reporter, some of whose best work has appeared in these pages. In *Dangerous Diplomacy: How the State Department Threatens America's Security* (Regnery, 312 pp., $27.95), he tells the sobering story of the derelictions of duty of our foreign-policy bureaucrats. Conservative complaints about State Department "cookie-pushers" are nothing new, but Mowbray's book paints a vivid picture of the harmful real-life consequences of State's bad habits.

One especially troubling pathology at State is a devotion to cultivating "stability" (in foreign governments, and in world affairs generally) even at the expense of other highly important desiderata, such as protecting human rights and even exercising ordinary prudence. When the assistant

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secretary of state for South Asia said (in 1996, when there was already clear evidence to the contrary) that "the Taliban do not seek to 'export Islam,' just to 'liberate Afghanistan,'" it was not an isolated mistake. As Mowbray shows in detail, State initially viewed the Taliban insurgency as positive on a number of levels. Of course, it would be unrealistic to ask that every diplomat be another Jeane Kirkpatrick. But a truth-based diplomacy will do more, finally, to advance our national interest than any number of clever circumlocutions; this is the central lesson of Mowbray's valuable book.

■ For 18 years, a Ph.D. in economics tried to teach his often-recalcitrant colleagues in the U.S. House of Representatives how the free market works—and why it works better when they don't try to help. That Dick Armey is no professorial Dryasdust is well known to anyone who saw him in action as House majority leader; his new book—*Armey's Axioms: 40 Hard-Earned Truths from Politics, Faith, and Life* (Wiley, $22.95, 258 pp.)—offers an engaging sampler of his best material. Unquestionably a man of principle, he also recognizes that—as one of his axioms has it—"if you are always standing on principle, you are going nowhere." The book contains life lessons as well as advice on strictly political matters. "You can't get ahead while you're getting even," for example, is an axiom of the broadest applicability, as is "Don't go back and check on a dead skunk." Armey concludes his book with a wry aside: "Oh, by the way, it is perfectly consistent with being idealistic about America to be cynical about Washington."

■ *Where Did Social Studies Go Wrong?* (Thomas B. Fordham Foundation, 146 pp.), edited by James Leming, Lucien Ellington, and Kathleen Porter, answers a key question in the education debate, and does so in a highly readable and engaging way. The schools are infected, writes contributor Jonathan Burack, with "a multiculturalism that is neither 'multi' nor 'cultural'"—and it's time to restore honesty and depth to the historical narrative that children are taught. This book can be read online, free of charge, at www.edexcellence.net, the website of the Thomas B. Fordham Foundation. **NR**

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■ CITY DESK ■

Kneads and Wants

RICHARD BROOKHISER

She has been my masseuse for twelve years. She has the skill to find and loosen knots of tension, and what is harder, the knack of imparting peace of mind. She believes that energies not unlike those she untangles in an instep or a mood fill the world, and she tries many means—Eastern, occult, or intuitive—of massaging them. When I was beginning my last biography, she offered to do a horoscope of my subject, since I happened to know the hour of his birth. (The horoscope correctly described his character—Pisces: brilliant, mercurial—though a stickler for proper experimental procedure would note that I had been telling her about him for weeks.) After my mother died she said she saw her standing in the room with us, looking on with love. I don't believe it, but business and familiarity encourage a practical tolerance. You don't cross-examine your banker or your friend on what he thinks about purgatory, or eating pork.

For six years before she became a masseuse, though, she was a cabbie, sampling the energies of randomly selected New Yorkers. Imagine if every night when you went to bed, you rented a different room—that you had no bed of your own, but went from the Ritz to the Econo Lodge to the Holiday Inn, and so on and so on. That is what New Yorkers do with cars. Other New Yorkers own them for us, yellow ones with lights on the roof, and we hire them as needed. Day after day, New Yorkers coming, going, alone, together, expectant, desperate, or indifferent hired my masseuse.

She drove in the era of the Checker, metal crates made in Kalamazoo, Mich., that were spacious and grand to ride in, but nasty to drive—always breaking down. She preferred the Fords. "They were *fuuun*." Her first day on the job a fare wanted to go to the airport. She spread out her five-borough map. "I don't know how to get there, but if you show me I'll take you." In time she became an adept of the city's byways, from Fifth Avenue to unpaved lanes in Queens.

Only one person ever pulled a gun on her. He was standing outside the cab, behind her on the driver's side, and he wanted to stick her up. How did you know he really had a gun, I asked, thinking of bluffing with toys or fingers. She felt the barrel on the back of her neck. She also knew from his voice and his appearance that he was young, and she felt that he was nervous. "I said a prayer to the goddess and hit the accelerator." He never fired. Maybe he wised up and quit that line of work. Maybe he toughened up and did a better/worse job next time. Another passenger of hers had come out of his criminal encounter in worse shape than she had. "I picked up a man in the middle of Columbus Avenue who had been stabbed. He had a knife sticking out of his side. I took him to Roosevelt Hospital, went in screaming to the emergency room and saw that he got on a gurney. Then I took the car back to the company and said I was going home for the night. There were pools of blood in the back." West Siders suffer from trauma delivered by sharp instruments; East Siders suffer from infarctions. A husband and wife hailed her in the 90s; he was having a heart attack. They had called ahead to his doctor at Veterans' Hospital, 70 blocks—three and a half miles—south. "I ran red lights all the way, trying to attract a cop," to shepherd them down with his flasher. "I only got one five blocks away from the hospital."

In one respect renting cabs is much like renting rooms. The springs of the passenger seat may be broken, the back of the driver's seat may brace your knees, and only a Plexiglas divider with a change slot in it guarantees privacy, yet ardent New Yorkers use cabs as a default venue for every phase of courtship, from holding hands in the front parlor to holding hams in the Jacuzzi. Two women told my cabbie to take them to Queens and not look back. Reckless of potholes, they became horizontal and vanished from her rearview mirror. My cabbie disturbed them only to ask, "Where in Queens are we going?" Another time she took a well-turned-out woman to an appointment at a hotel. "He'll love this," the passenger said, parting her fur coat to reveal that that was all she was wearing. My cabbie wondered, "Suppose he wants to take her to dinner?" Thank you, Antoine, it's a little chilly in here, I believe she will take her wrap to the table.

For six years before she became a masseuse she was a cabbie, sampling the energies of randomly selected New Yorkers.

These were the lurid encounters, but sometimes she was surprised by kindness. She found Thanksgiving a good day for picking up poorer fares who were going to family dinners in town, and who tipped well. One car-full, laden with side dishes, invited her to the dinner, and when she declined, insisted she take some food for herself.

"Driving a cab was an education." In human types? "No, in my attitudes. When I was feeling angry, I got angry fares. As soon as I felt good, I got good fares." There is a dash of magical thinking in this—my thoughts effect events—but also a dash of Stoicism. Others may do what they will, but my mind to me a kingdom is. If I rule my thoughts, the world cannot rule me.

Then, somewhat inconsistently, she said she had concluded that most people were good. Someone would come into the cab complaining about the sorry state of things, and say that no one else cared. "But I would say, 'The man before you said the same thing you did. And so did the woman before him.' People should know they're not alone in their concerns." NR

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WILLIAM F. BUCKLEY JR.

The Fight to Kill

NEW YORK, SEPTEMBER 23

THE governor of Massachusetts has announced his intention to restore the death penalty. He has set up a commission to devise legislation that would guard against any possibility of executing an innocent defendant. He would recommend capital punishment for only three types of crime: those associated with terrorism; those involving the killing of police officers, prosecutors, judges, or trial witnesses; and "heinous" crimes, defined as multiple killings or murders done with extreme brutality.

Gov. Mitt Romney's initiative comes only a few days after the release of Kathy Boudin, a parole decision that has inflamed the police community in New York and others who believe that her release dishonored the community's obligation. This debt was to the two police officers and the Brink's guard who were murdered when Ms. Boudin, her lover, and other members of the Weather Underground robbed a Brink's armored car and shot their way out of an ensuing encounter with the police. Ms. Boudin pleaded that it hadn't been she who had actually pulled the trigger, and got less than the 75-year sentence given to her lover, the father of their child (who has just graduated from Yale and won a Rhodes scholarship), and the three other participants.

Some months ago my help (in the form of a signature on a petition) was solicited in behalf of Boudin. The little committee which would present its petition to the parole board pleaded what one would expect: She had been in jail for 22 years, she was a model prisoner, she convinced everyone she was in touch with of her genuine remorse, if released she would be in lifelong parole requiring regular check-ins and restricting her travel. I signed that petition for her release.

If 22 years ago I had been asked to sign a petition recommending capital punishment for Ms. Boudin et al. I'd have done that too.

The two positions are not contradictory. If you believe that society owes to its members the ultimate protection from murder, then capital punishment raises its august hand, the most solemn form of retribution against the killer of innocent people.

But capital punishment was not decreed, neither against Boudin nor against the four other defendants. What then should the state have done? She was imprisoned. The families of the victims were deprived of such sense of justice as they'd have got from capital punishment. But that being said, was any point served in infinitely protracting Boudin's sentence? It is not unreasoning to have advocated her execution then, and later to acknowledge, as the years rolled by, that considerations of mercy persuasively entered the scene.

Gov. Romney faces a legislature which denied by a tie vote a bid to restore capital punishment in 1997, but four years later defeated another attempt at restoration by a significant count.

Reluctance to execute has been the mood in America as news comes in of innocent men imprisoned. None such have been executed, notwithstanding the blare of the abolitionists. The DNA fingerprint has vindicated men serving prison sentences, and given rise to such hysteria as that of outgoing governor George Ryan of Illinois, who in January commuted every death sentence, noblesse oblige. That was contumacious: Death sentences had been given by juries, pursuant to laws passed by the Illinois legislature.

Gov. Romney insists that the death sentence is "viable," by which he means that no one will doubt the guilt of Massachusetts citizens condemned to death under the proposed code. But of course there are those who would refuse to condemn Osama bin Laden to hang, even as three U. S. divisions attempt, month after month, to serve as executioners.

Dem-Talk: Down the Rich

NEW YORK, SEPTEMBER 26

GENERAL WESLEY CLARK was in public view for the first time. It is remarked that he was all but ignored by the other presidential aspirants, which is true. Viewers waited for his basic autobiographical declaration. Is it true that as recently as in 2001 he praised Presidents Reagan and Bush at a *Republican* dinner? *In Arkansas?* Gen. Clark didn't deny this. What he said was that it had been "an incredible journey" for him and "for this country since early 2001." That's right. The U.S. entered into a recession and was attacked by terrorists who killed 3,000 people in New York City. "I knew that I needed to speak out. And when I needed to speak out, there was only one party to come to."

That's the way people tend to talk who decide they want to run for president. No one gives much thought to what they say, because 1) there isn't that much time—there were ten presidential candidates standing around there; and 2) it's a waste of time. What would Gen. Clark have come up with? What changed him from cheerleading Republican in 2001 to front-line critic of the Republican party under the leadership of the same man he praised in 2001? What vision is it that he got? Was there a trance, like overnight? Or more prolonged, like St. Augustine's? Not too prolonged, because he had only two years in which to go from cheering the Republicans to deciding that duty required him to head a national movement to replace them.

The candidates' session was devoted in case after case to the matter of taxes. More accurately, to a denunciation of Mr. Bush's tax reductions for the rich. The denunciation of that part of the new tax code that extended benefits to the rich was unanimous, but there were dis-

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agreements as the question of outright repeal presented itself. Sen. Kerry and Sen. Lieberman have tried to make this point, namely that to come out simply for repealing the Bush tax bill requires a commitment to undoing the whole of it, and this would be hurtful to a lot of people who are not millionaires—what about them? Gov. Dean's categorical approaches to matters small and large do not welcome time off for discrimination, so he renewed his commitment to undoing the whole tax law and starting again from scratch.

Sen. Lieberman let out a little common sense, as he often does. He said he would repeal the tax cuts "on the highest-income Americans." Why? "They don't need it." That's true. Bill Gates doesn't need an extra million. But there are dangers in parsing the tax code in quite that way. What is the value of the redundant advantage? Does everyone absolutely require free-speech protection, even for zany expressions of opinion? The candidates were exercising extraordinary license in speech to analyze those Bush tax cuts for the rich. If you take the fabled one percent and add up the tax relief the very rich got from the Bush law you come up with $25 billion per year.

That is a great deal of money, but of course needs to be viewed in perspective. In the current fiscal year, the non-defense budget deficit will increase by $120 billion, which is nearly five times the rich-cuts. Those increases in government expenses, which ran more than 20 percent higher than indexation, were not criticized by the Democratic candidates in part, one must suppose, because most of them were voted for by Democratic congressmen.

And that perspective brings us to muse on how such as Sen. Lieberman parlay that one percent tax cut for the rich as causing the national debt, deficits, illegitimacy, and malaria. Bush "sent us in a deficit that will cost the middle class, our children and grandchildren, all sorts of money in the future." The burdens and the liberties enjoyed by our grandchildren are more closely related to whether we can stop terrorism and swollen government than to any initiative by Mr. Bush to restore $25 billion to the people who earned it.

But anti-rich talk is the bacon and eggs of Democratic camaraderie. Every now and then it exposes the witch doctors to a sharp little stab of thought. The lady interrogator, Gloria Borger, having heard all of the candidates declare that they would not want any new tax increases, asked them, How are you going to eliminate the tax cuts of 2001 without enacting tax increases?

A nice point, but the candidates quickly, unanimously, swiftly, decided to ignore it.

Penetrating the Polls

NEW YORK, OCTOBER 3

THE front-page *New York Times*/CBS poll raises the hopes of Democratic presidential aspirants, and raises political questions, as polls are supposed to do. The headline feature is that more Americans now disapprove of Mr. Bush's handling of the economy than approve of it, and this by a very substantial (56/37) majority. On foreign policy, the voters are evenly divided (44 percent approve, 45 percent disapprove).

Is the steep decline in the approval of Bush something that was brought on by the news? Or by the handling of the news? If a respondent confined his news watching to, say, CNN, would a researcher, after successive pollings over a year, observe a diminished approval of Bush out of correspondence with objective reasons for that diminished approval?

As an abstract matter, we know that public reaction to an event is substantially shaped by the way it is depicted by the press. If the stress is overwhelmingly on the terrible life and privations of the mother who drowned her two children, commiserative attention tends to seep from the dead children to the live mother. Objective news developments don't easily bend to commentators' bias. If the reports tell us that the weather has been fine, we are prepared, if we come upon the weatherman, to deploy our umbrella to other uses than to shield us from the torrential rains.

This much should be granted on the question of Bush's decline in approval as a foreign-policy leader, namely that public expectations are indisputably set by the media. If it were assumed that the military exercise in Iraq would require conventional sacrifices in human life, measured by a century of experience, then current losses being sustained would not have figured largely in an accounting of the Bush decline.

The *New York Times* poll tells us that about one-half of the American people believed that removing Saddam Hussein from power was the main reason for taking military action in Iraq. "About a quarter said the main reason was to protect the oil supply." How did that idea get about? Protecting the oil supply wasn't advertised by President Bush or any of his spokesmen. Was that one-quarter who thought it the main motive, the same Americans who tend to reach for materialist explanations for policy decisions? Who feeds them? CNN? Dan Rather? *The Nation* magazine?

The curious observer can intelligently conclude that the fall by Bush in foreign-policy leadership runs hand in hand with reversals in Iraq and in the U.N. But hardly hand in hand with the movement of the economy. In July 2002 Bush's approval as economic overseer was at 56 percent. The economic indices, since then, have been sharply favorable; yet unemployment lingers. Four out of ten people, the poll tells us, worry that one person in their household will lose a job in the next year.

The poll reflects either insubstantial leadership by Mr. Bush, or erratic judgment by the people polled.

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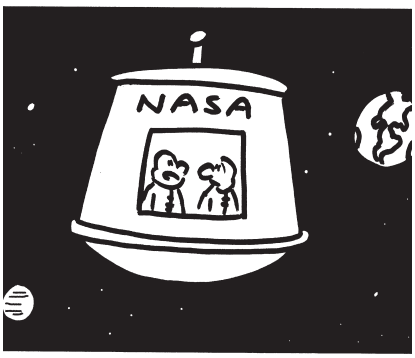

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DAVID FRUM

Against Panic

HERE'S an understatement: President Bush provokes strong emotions. On the left: hatred. On the right: anxiety.

Before he won the presidency, Bush caused conservatives anxiety because they did not yet know him and were not sure of what he would do. Would he take risks for conservative principles? Or would he sell out? Unlike Ronald Reagan, Bush had not spent a quarter-century eating chicken with conservative activists before ascending to the presidency; conservatives liked him, but they did not yet trust him.

Over the past three years, though, Bush has given conservatives very different reasons for anxiety. Yes, it turned out that he was more than willing to take risks for conservative principes. He repeatedly took *huge* risks: the tax cuts, the restrictions on stem-cell research, the innovative tactics of the Afghan campaign, the decision to keep fighting the war on terror even after the Afghan success. By now, Bush has won enthusiastic and near-unanimous support from the conservative base. And that's just his problem: As his standing has risen with the country's conservatives, it has slumped with everybody else. In late September, his poll numbers for the first time slipped below 50 percent.

Conservatives who used to worry about George W. Bush now have to worry for him.

Item: The U.S. economy has lost some 2.7 million jobs since January 2001. It picked up 57,000 non-farm jobs in September, which is nice—but for the employment numbers to recover to where they were when George W. Bush took office, the economy will have to add an average of more than 200,000 jobs in every one of the 13 months until Election Day. That's not impossible—the U.S. economy created jobs at an even faster rate during the 1990s—but at the moment, it sure is looking unlikely.

Item: Poor employment numbers in swing states translate into poor re-elect numbers. Bush can probably shrug off his 44 percent approval rating in New York. But it's worrying that he is down to 55 percent in Ohio—and was at 54 percent in Florida at the beginning of August.

Item: The administration has been buffeted by negative news from the war on terror. The recent report by David Kay confirmed that Saddam Hussein's Iraq had built an infrastructure to produce weapons of mass destruction—and was still concealing that infrastructure from the United Nations inspectors until the very end. At the same time, though, Kay did not find weapons that were ready to use. Meanwhile, the costs of Iraqi reconstruction have risen unexpectedly high—and Washington was convulsed in late September by a media frenzy in which the Bush administration stood accused of exposing a CIA agent to score a political point.

Who's 'misunderestimating' now?

So is the jig up?

Hardly. Having derided liberals for misunderestimating the president, it would be all too painfully ironic if conservatives became discouraged by the same error.

Here are three countervailing facts to remember:

1) George W. Bush remains far and away the most trusted political figure in America on issues of national security. Sixty percent regard him as a strong leader; 60 percent also credit him with making the country safer from terrorist attack. Nor do things look auspicious for the Democrats' continued attempt to besmirch Bush's character—more than 50 percent of Americans regard Bush as more honest than most people in public life.

2) The situation in Iraq gets better every day.

Perhaps you missed this dispatch by Pamela Hess of UPI, filed September 27:

"The surprise to me upon arriving [in Iraq] in July was that it wasn't nearly as dangerous as I thought it was going to be. People are on the streets evening and morning, eating at restaurants and doing their shopping. They swim in the Tigris to keep cool. They play soccer.

"And at least as far as operations in the south are concerned, I can attest to a nearly constant stream of heartwarming developments—the engraved bells donated to each new school the U.S. Marines rebuild and open; the young reserve Army sergeant now enthusiastically leading the clean-up of a Najaf slaughterhouse; the happy children running out to greet Marines when they walk through downtown Hillah without body armor or rifles because they have worked long and hard to win the trust of the townspeople, and they have succeeded."

Hess goes on to acknowledge that there is bad news too. But as she notes, if the press emphasizes the bad over the good, that reflects less the facts on the ground than the poor treatment Iraq-based journalists are receiving from the "undermanned and unenthusiastic" press office of the U.S. occupation authorities. It's never smart to maltreat the press. But it can be just as unwise to believe what you hear from journalists who feel maltreated.

3) The Democratic base may thrill to the isolationist old McGovernite slogan, "Come Home, America." But most Americans know that the terrorists would be only too delighted to follow through the door. So the voters will want to know: What's the alternative? You don't like the Patriot Act? Iraq? Fine—what would you do instead? None of the Democratic candidates has a serious or coherent message on terror—and none seems to have any interest in developing one.

Wesley Clark, the momentary front-runner, has appeared on all sides of the Iraq issue. Howard Dean knows only that he wants to declare the war over and then quit. But 2004 is not the year to go to the nation without a coherent and convincing plan for national defense—and yet the Democrats seem intent on doing so all the same.

Back in the 1980s, Jack Kemp chided Republicans for their complacency. "We can't," he said, "count on our opponents to go on digging their own graves election after election." He was right. We can't count on it. But all the same: They're now doing it. **NR**

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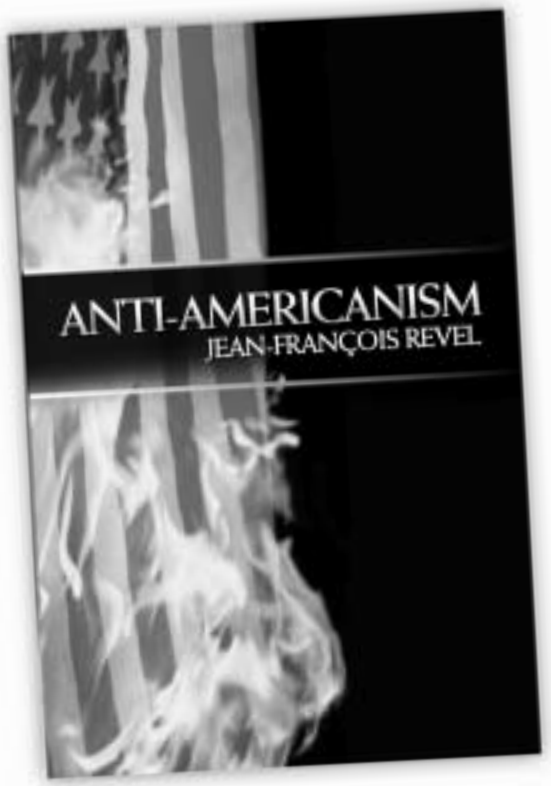
The French Disease



Angered by the increasing hostility against a nation he knows and admires, the distinguished French intellectual Jean-François Revel has come to America's defense in *Anti-Americanism*, a witty and erudite book that paradoxically spent several weeks late last year on top of the French best-seller list.

Author of *How Democracies Perish*, and other books that have had significant influence on both sides of the Atlantic, Revel focuses here on the notion that America is the source of all evil–imperialistic, greedy and ruthlessly competitive, a "cowboy nation" whose riches are acquired at the price of Third World impoverishment. Here is what the anti-Americans, especially the French themselves, believe: "American society is entirely ruled by money. No other value, whether familial, moral, religious, civic, cultural, professional, or ethical has any potency in itself. Everything in America is a commodity, regarded and used exclusively for its material value. A person is judged solely by the worth of his bank account. Every U.S. President has been in the pockets of the oil companies, the military-industrial complex, the agricultural lobby, or the financial manipulators of Wall Street. America is the "jungle" par excellence of out-of-control, "savage" capitalism, where the rich are always becoming richer and fewer, while the poor are becoming poorer and more numerous. Poverty is the dominant social reality in America. Hordes of famished indigents are everywhere, while luxurious chauffeured limousines with darkened windows glide through the urban wilderness."

Revel shows how these charges ultimately stem from weakness and envy on the part of those who make them, and criticizes the legions of foreign propagandists and pseudo-intellectuals who make a living "bashing America." At a time when it seems that much of the world is marching against America, Revel shows they are really marching against freedom.

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